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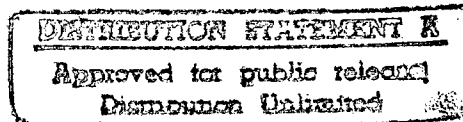
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1 SIXTH SESSION OF THE
2 DoD HISTORICAL RECORDS DECLASSIFICATION
3 ADVISORY PANEL

4 *****

5 National Archives
6 7th and Pennsylvania Avenue, N.W.
7 Room 410
8 Washington, D.C.

9
10 Thursday, September 18, 1997



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6 PROFESSOR GERHARD WEINBERG

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1 P R O C E E D I N G S

2 DR. GOLDBERG: May we have your attention,
3 please. We're starting the meeting now with the
4 administrative announcements by our Executive Secretary.

5 MS. KLOSS: Good morning. I'm glad everybody
6 was able to find the room, minus half of our panel.

7 The proceedings are going to be recorded.
8 Verbatim transcripts will be posted on the Internet.
9 Panel members will be identified by name. Observers
10 will be identified by name only if you state your name
11 prior to your question, if not, we will just identify
12 you as observers.

13 Please wait to be recognized by the Chair if
14 you have any questions from the audience. To access our
15 transcript, you can go into the c3i home page at
16 www.dtic.mil/3ci.

17 Or you can pick your bookmark Steve
18 Aftergood's website, and I'm sure it's posted there
19 also.

20 We will produce an executive summary to the
21 three pages which will highlight the proceedings. If
22 you would like a copy and you do not have access to the

1 Internet but do have E-mail, please E-mail me at
2 klossc@osc.pentagon.mil. Your other option to obtain
3 transcripts, of course, is through the FOIA channels.

4 Coffee is in the back. It's provided for your
5 convenience. Please help yourself, but we do ask that
6 you refrain from moving when the panel is in session,
7 because the noise in the room does get hard to handle.
8 Breaks will be strictly at the discretion of the Chair.

9 We will have a working lunch. I will ask the
10 panel members to join me in a different room. The
11 observers are welcome to return after lunch, which will
12 be approximately 12:45, back in this room. The rest
13 rooms are outside of this room. The women's room,
14 that's a little bit further down the hall. Telephones
15 are available in the center corridor next to the
16 elevators. We will not accept phone calls coming in,
17 with the exception of Dr. Goldberg, of course.

18 Oh, this is great, if we have anybody from the
19 Archives and you don't wish to go to lunch, we do have a
20 film. Archives is scheduling a film at noon, "A Little
21 Rebellion Now and Then, Prologue to the Constitution".
22 It's part of your Constitution Week and we do thank the

1 Archives for hosting us again, thank you.

2 DR. GOLDBERG: Thank you.

3 The Executive Secretary has spoken. She
4 always enjoins me to do a recap from the last meeting,
5 and I'm not quite certain why since we do make a report
6 to the Secretary, since we do have minutes. But since I
7 have been told to do it, I find it necessary to follow
8 instructions, but I will make it brief.

9 Our last meeting was a fruitful one, I think,
10 and this one should be even more so. The panel's report
11 the meeting to the Secretary of Defense was concerned
12 with ways of speeding up declassification archiving,
13 better coordination of efforts within DoD and between
14 DoD and other agencies, better declassification guidance
15 and greater access to newly declassified records.

16 As in all of our previous reports, we urge
17 that greater resources be devoted to the
18 declassification effort. And I'm delighted to report
19 this last recommendation, an absolute necessity of real
20 progress is to be made, is being realized and we will
21 hear more about that later.

22 The Army and OSD are making substantial even

1 large allocations of funds for declassification. It's
2 encouraging to know that responsible officials at the
3 top levels of the department are paying attention and
4 reacting positively to some of our recommendations. In
5 fact, I think there's been a breakthrough that will have
6 a major effect on the declassification, defense
7 declassification progress for the next several years.

8 At tomorrow's meeting, we will consider the
9 future of the panel, whether it should continue for
10 another year and whether you wish to remain a member.

11 We are going to have some additional remarks
12 made. Mr. Leonard of the Office of the Assistant
13 Secretary for C3I is going to give us a brief overview
14 of the state of the declassification program in DoD now
15 and I think that you will find it quite encouraging

16 BRIEFING BY

17 J. WILLIAM LEONARD

18 MR. LEONARD: Thank you very much, Dr.
19 Goldberg, and good morning to the members of the panel
20 and good morning to everybody else.

21 I'm Bill Leonard Director of Security Programs
22 in the Office of the Assistant Secretary of Defense for

1 C3I. I'm pleased to address the panel this morning on
2 the status of declassification within the Department of
3 Defense. It's been a very busy year for DoD and I see
4 real progress in declassification compared to the status
5 of just two short years ago.

6 What I would like to do is discuss three
7 topics today. The first would be trends in
8 declassification, the second would be the status of
9 declassification policies, and the final topic would be
10 the continuing challenges which we all confront.

11 We convened the Defense Declassification
12 Management Panel two weeks ago and much of the
13 information is derived from that very productive meeting
14 of the department's senior declassifying officials.

15 Firstly, though, I would like to address
16 declassification trends. Last November we pointed out
17 that DoD collectively declassified over 68 million pages
18 of information. And early reports show that we will
19 exceed this rate in 1997. Much of the first year of the
20 Executive Order was spent conducting surveys to identify
21 the total holdings subject to automatic
22 declassification.

1 The second year has been spent in issuing
2 contracts for support and reviewing for declassification
3 the most sensitive material in our holdings.

4 The most positive trend is in the resources
5 applied to declassification. For example, the
6 Washington Headquarters Services which provides support
7 to the Office of the Secretary of Defense, was
8 successful in obtaining funds to hire contractors to
9 assist in declassification reviews for fiscal years '98
10 and '99.

11 The Joint Staff has doubled it's one-person
12 office with the hiring of a very experienced
13 declassifier. Army, while late in getting started has
14 the makings of a first class operation with resourcing
15 in place for the next five years, so its own personnel
16 as well as contract support.

17 Navy has quietly been doing the tough work of
18 declassifying Navy materiel throughout the fleet and
19 authorizing an extensive declassification guide pending
20 review by the Interagency Security Classification
21 Appeals Panel.

22 The Air Force has led the way in innovation

1 receiving the Vice President's Hammer Award. Their
2 declassification database serves as the model for
3 government-wide database under the sponsorship of the
4 National Archives and Records Administration.

5 The Defense Intelligence Agency consolidated
6 all declassification activities under one office this
7 past year and they are pending the award of a support
8 contract. NSA has two contracts for declassification
9 support and is exploring the use of state-of-the-art
10 on-line redaction tools.

11 Even the Unified Commands are showing
12 progress. For example, the Pacific Command recently
13 brought a team of declassifiers to the metropolitan
14 Washington D.C. area for hands-on review and STRATCOM
15 has successfully used military reservists to execute
16 their declassification programs.

17 The components are compiling annual statistics
18 for the 1997 report to the ISOO and I anticipate a vast
19 improvement in declassification from the already
20 impressive start in 1996.

21 Secondly, I would like to briefly provide an
22 overview of current declassification policy. The two

1 policy issues focused on in previous HRDAP meetings are
2 the status of current declassification guides and
3 establishing a centralized declassification referral
4 service.

5 Firstly, new implementation guidance for
6 Executive Order 12958 is published and is available on
7 the Internet. The revised DoD Regulation 5200.1-R is a
8 definitive DoD guide for the execution of Executive
9 Order 12958.

10 At last April's HRDAP meeting, much discussion
11 centered on the OSD declassification policy and the fact
12 that it had not been updated since 1983. It is the DoD
13 Information Security Program Regulation, the 5200.1-R
14 document I just referred to which establishes the policy
15 for the declassification and this was published in
16 January of 1997. The 1983 guideline for systematic
17 declassification was really not intended to replace the
18 basic policy rather it's a source of guidance for
19 referrals of defense-related material. Basically it
20 states that if information is in one of several topic
21 areas, it should be referred back to the DoD for final
22 determination.

1 Declassification guides are separate and
2 distinct from declassification policy and remain the
3 responsibility of declassifying officials.

4 In some cases, declassification guidance is
5 incorporated into security classification guides; in
6 others it's published as a stand-alone document.

7 The document referred to in the last HRDAP
8 meeting strictly established thresholds for referrals
9 and was not now nor was it ever intended to serve as a
10 DoD wide declassification guide. That is an area that
11 does still require additional work.

12 The HRDAP recommended centralizing
13 declassification referrals recognizing the
14 inefficiencies in the decentralized approach now in
15 place within the Department of Defense.

16 The pilot project completed in response to one
17 of your recommendations showed how prevalent referrals
18 were in high policy records. We invited Mr. Rich
19 Warshaw, the Chair of the External Referral Working
20 Group, to discuss his efforts to facilitate smooth
21 referrals within the federal government.

22 This group was singled out in the recently

1 issued Information Security Oversight Office Report to
2 the President. Mr. Warshaw has done a magnificent job
3 in establishing communications throughout the federal
4 government, but I'm sure he would echo your
5 recommendations on centralizing referrals in DoD,
6 especially when no lead agency is readily apparent.

7 As always, the impediment to satisfying this
8 recommendation is resources and I have taken steps to
9 again address this unfunded requirement in the
10 department's 1998 budget cycle. If approved, a central
11 cadre of personnel would serve as the liaison for
12 non-DoD agencies that have defense-related material in
13 their holdings and would provide much needed
14 augmentation for the preparation of our declassification
15 guidance. Our ultimate goal is for an outside agency to
16 have to make no more than two calls to refer information
17 to the Department of Defense.

18 Finally, I would like to address challenges we
19 all confront. Several items remain works in progress
20 and continue to challenge the department.

21 Firstly, the components went through an
22 arduous process of identifying file series of records

1 for formal exemption to the provisions of the automatic
2 declassification program. This challenged staffs to
3 identify all records repositories, archives, and other
4 sources maintaining these historical files. When
5 dealing with over a billion pages of information and
6 minimal staffing, the action of documenting the file
7 series was a significant step toward organizing the
8 declassification work effort of several agencies. This
9 remains an open action with additional information
10 provided to a special team under the leadership of the
11 ISOO. We remain optimistic that our recommendations
12 will be approved; however, this is not necessarily
13 guaranteed.

14 I would like to address a concern we all have
15 with regard to inadvertent disclosures. Last May we
16 discussed concerns on the possibility of inadvertent
17 disclosures occurring due to our haste in complying with
18 Executive Order mandated milestones. DoD has evaluated
19 and rejected bulk declassification preferring to review
20 files on a pass-fail basis. This is a trade-off that
21 was driven in part by our desire to limit the potential
22 for inadvertent disclosure of classified information.

1 Unfortunately, this past year we have experienced
2 several cases, (some quite visible, others not) of
3 information deemed classified by subject matter experts
4 being released. Each incident results in dozens of
5 man-hours devoted to damage assessment or corrective
6 actions. This is time that could be spent reading the
7 other documents for declassification. We are especially
8 concerned with information relating to the following
9 exception categories.

10 First, information revealing confidential
11 human intelligence sources the loss of which would
12 threaten existing sources and our ability to recruit
13 future sources.

14 Second, technological advances leading to the
15 development of weapons of mass destruction and future
16 U.S. weapon systems. Premature disclosure of
17 information assists other nations in the development of
18 similar weapons and a fielding of countermeasures, or
19 the proliferation of weapons in unstable regions. These
20 activities significantly decrease the weapons systems'
21 operational effectiveness.

22 Thirdly, there's concerns of course in areas

1 of international and diplomatic activities and
2 agreements. Sometimes disclosure of this information
3 would seriously degrade existing relationships and
4 agreements that would undermine our ability to negotiate
5 future agreements. For example, the unilateral release
6 of information whose protection was negotiated under a
7 specific agreement may negate aspects of that agreement
8 overall.

9 Finally, of course, we're always concerned
10 about U.S. military war and contingency plans. Many
11 times the plans cited contain current contingency
12 operations, the loss of which would allow hostile
13 nations to counter or neutralize critical U.S.
14 operations.

15 I'd like to recognize that the HRDAP
16 encourages delegation of declassification authority to
17 non-DoD agencies. At this time, based on our
18 experiences over the past 18 months, I must continue to
19 report that the DoD position is that our personnel will
20 review all material as needed. In individual cases, a
21 component may delegate declassification authority but
22 this will not necessarily be a DoD wide policy. We have

1 found that there are too many variables that make it
2 impossible to recommend this course of action at this
3 time, especially when dealing with weapons systems. The
4 subject matter expertise needed to evaluate material
5 that is governed by almost 2,000 security classification
6 guides is difficult to replicate.

7 In conclusion, I would like to point out that
8 with regard to the HRDAP recommendations, each of the 18
9 recommendations have been evaluated by the DoD
10 Declassification Management Panel with action taken on
11 all and 11 actions are considered complete.

12 During the Intelligence Community's recent
13 conference on information management, a panel member
14 said historians involved with declassification are
15 discouraged at the lack of progress and do not see many
16 changes forthcoming. After the presentation, a senior
17 DoD declassification official asked the historian not to
18 let up on the pressure. And I encourage you also not to
19 let up on the pressure.

20 No one sector of the increasingly complex
21 declassification family will ever achieve full
22 realization of all their goals. However, in a

1 collaborative effort, I do firmly believe that
2 historians and members of the public will continue to
3 get greater access to pre-1960 holdings; that the
4 declassifiers will get some of the resources, support,
5 and recognition they need in order to execute their
6 programs and that policy officials may find flexibility
7 in interpretation of the Executive Order requirement for
8 automatic declassifications. What we will all get is a
9 program that makes significant inroads from the
10 declassification efforts of the past.

11 Another panelist said that the intelligence
12 community should not promise more than they can deliver.
13 The same could easily be said of DoD. We can make no
14 promises on declassifying specific topics or programs;
15 but we can make a clear commitment to continue progress
16 toward smarter classification management and more timely
17 declassification reviews. If we are not moving as fast
18 as the public believes is possible in declassifying the
19 files of a purely historical nature, it may be in part
20 due to our extensive declassification efforts applied to
21 current high interest projects. In the past two years,
22 I cannot remember one significant special project or

1 study that did not go through an extensive review to
2 produce an unclassified version of the same report.
3 Topics such as the Persian Gulf illness and the POW/MIAs
4 issues are labor intensive issues and remain high
5 priorities in the DoD for declassification resources.

6 Finally, I would like to express my sincere
7 appreciation to Dr. Goldberg and to the panel members
8 for all their thoughtful insight into the most
9 challenging aspects of our declassification programs.
10 Declassification, as we all know, is a unique business
11 and that it comprises the needs of the records
12 management community, the desires of the security
13 practitioner, and the anticipation of historians in the
14 public sector. I also wish to thank the speakers who
15 present candid overviews of their programs to assist the
16 panel members in understanding the challenges that are
17 unique to their organization. And finally to the
18 observers who have faithfully attended these sessions,
19 we have tried to be responsive to your needs and
20 encourage you to continue with your communications with
21 the panel.

22 I appreciate very much, Dr. Goldberg, the

1 opportunity to provide the panel with that update.

2 DR. GOLDBERG: Let me express my appreciation,
3 and the members of the panel I'm sure, for what I think
4 is an exceptionally good, comprehensive, and encouraging
5 report.

6 I do note that apparently our recommendations
7 were paid attention to and that indeed the majority of
8 them were resolved in some degree or other. And I
9 submit this is awfully good for an advisory panel. My
10 experience over the years has been that commissions,
11 including blue ribbon panels and commissions and
12 committees rarely have their recommendations adopted or
13 very few of them are adopted. So I think we have had
14 some effect here and I think that is encouraging. We
15 have not labored in vein.

16 I would like to offer the panel members the
17 opportunity to ask questions of Mr. Leonard about his
18 presentation.

19 PROFESSOR WEINBERG: I have one question. At
20 some point in your report you alluded to the utilization
21 of reservists in one of the declassification programs.
22 As you will recall, that's something that the panel has

1 repeatedly urged.

2 Do you see the possibility of the expansion of
3 that in other areas of DoD declassification?

4 MR. LEONARD: Very much so. Of course, the
5 Air Force which has served as, I think, a model for the
6 community has been quite successful in that.

7 One of the continuing challenges for us will
8 continue to be the unified commands in the field and it
9 was very optimistic to see, for example, the strategic
10 commands to make the utilization of reservists in that
11 regard and that should be a continuing option,
12 especially for other of the field components in terms of
13 satisfying their document challenges in this area.

14 BG ARMSTRONG: I could add something.

15 I believe the Navy has used reservists in
16 their declassification program and I know that in the
17 case of the Pacific Command they're using them also.
18 Part of the problem is, frankly, getting the man-days.
19 The people are normally available and can be trained up.
20 But getting the man-days is a resource problem which I
21 think has been indicated as the commands become more
22 aware both of the looming deadline of the expiration of

1 the five-year period and of the importance of getting
2 this done, I think we are going to see more resources
3 put against those things.

4 But Pacific Command has got a major problem
5 with declassification and they are using reservists
6 against it.

7 MR. CLARKE: I would add to that about 15 or
8 20 years ago the Army for about a year used reservists
9 extensively to organize, downgrade, declassify all the
10 records in its control pertaining to the Vietnam War.

11 The problem was that when they abandoned that
12 practice after a while, was that reserve training funds
13 are allocated really not to bring people in to do your
14 office work, but to bring people in to train them in
15 whatever their specialties are.

16 So, you can't really depend on the Army
17 environment, your normal Reserve or National Guard
18 training funds to support an administrative effort.
19 Additional funds would have to be made available from
20 elsewhere.

21 DR. GOLDBERG: The funds are being made
22 available, although, presumably -- additional funds that

1 are being made available presumably go for contracting.
2 That is, much of the declassification would be done by
3 contractors, I presume, for both Army and OSD, as I
4 understand it. Is that correct?

5 MR. LEONARD: Yes.

6 MS. KLOSS: The final decision will still
7 require the government --

8 DR. GOLDBERG: Yes.

9 MS. KLOSS: The manipulation of the data, the
10 preparation of the material for us will be contractor
11 driven.

12 PROFESSOR LEFFLER: I'm trying to understand
13 precisely what type of progress has been made since the
14 last meeting. And just let me see if I understand.

15 One of the things that we asked was, in fact
16 the number one thing, was the reciprocal delegation of
17 declassification authority within DoD and between DoD
18 and other government agencies.

19 I understand, correct me if I'm wrong, you to
20 be saying that as a generalization, you have rejected
21 that that was our first priority, and I understand that
22 you have rejected that?

1 MR. LEONARD: At the time being, that's a
2 problematic approach, the wholesale delegation of
3 declassification authority and DoD activity too.

4 PROFESSOR LEFFLER: You say the wholesale
5 delegation, that suggests that perhaps you have done
6 something with respect to specific delegation.

7 Is there any area, agency, within the DoD
8 where -- is there any agency within DoD which has made
9 reciprocal delegation possible with agencies outside of
10 the DoD?

11 MR. LEONARD: We do, it is an option up to
12 components to, on a case-by-case basis, to delegate.

13 MS. KLOSS: The Air Force. Would you like to
14 talk about, briefly, about your arrangement with NARA?

15 COL DYRDA: Yes, the Air Force has allowed
16 NARA, using our database, to go ahead and declassify.
17 Additionally, we have delegated to the Navy. Using our
18 declassification guides, if they so choose they can
19 declassify our documents. And I believe the Navy is
20 considering reciprocating that in the near future.

21 MS. KLOSS: We'll be demonstrating that
22 program to you folks tomorrow morning.

1 PROFESSOR LEFFLER: So thus far, the Air Force
2 is the only agency within DoD to have engaged in that.

3 MR. LEONARD: And one of the basic -- one
4 basic requirement tool in order to be able to implement
5 that is comprehensive declassification guides that can
6 be readily understood and applied by others and, of
7 course, Air Force has made significant progress in that
8 area. And the absence of comparable comprehensive
9 declassification guides is an impediment with regard to
10 other areas. And then it becomes a balancing act
11 whether to, you know, devote time, the resources to
12 actual declassification efforts or to develop the
13 declassification guide.

14 PROFESSOR LEFFLER: That raises the other
15 major issue I think we talked about last time and that
16 you addressed and that was the guidelines issue. And
17 I'm not clear what you said about the updating of the
18 1983 guidelines. I understand you to say that those
19 guidelines of 1983 were not established to dictate
20 policy, but to allow for variations and to establish
21 thresholds and that it would be up to related agencies
22 to actually update and work out the new guidelines. Do

1 I understand that correctly?

2 MR. LEONARD: It is up to the proponents of
3 the information to develop the exact declassification
4 guidance for the information that's under their purview.
5 That overall guide was intended to establish lower
6 thresholds for issues and information that would require
7 referral back to the DoD for a decision. It was not
8 necessarily intended as the overall comprehensive
9 declassification guidance needed to implement
10 declassification decisions.

11 PROFESSOR LEFFLER: So what we focused on at
12 the last meeting was the fact specifically that OSD had
13 not updated its guidelines since 1983.

14 So, I would like to know since that last
15 meeting what progress has been made or what types of
16 decisions have been made to see that at least the OSD
17 guidelines would be updated?

18 MR. LEONARD: As I mentioned, the policy
19 implementation for the Executive Order to include all
20 aspects of the order, declassification aspects of it, is
21 set forth in the DoD Information Security Program
22 Regulation and that was promulgated in the early part of

1 this year. And that's what gives the DoD components the
2 guidance that they require in terms of implementing
3 provisions of the Executive Order itself. In terms of
4 the -- you want to give an update on the --

5 MS. KLOSS: We had several meetings to review,
6 revise, repackage, readdress the 1983 guide. In fact,
7 we are exploring the issuance under the DoD
8 declassification plan in lieu of the DoD instruction.

9 It truly is a very narrow scope document and
10 applied to relatively few individuals and may be better
11 handled as a declassification plan attachment or
12 addendum. We've revised it now, I think we're on our
13 second revision of the document. I think it has a way
14 to go though. I don't think we're prepared to go out as
15 of yet.

16 PROFESSOR LEFFLER: Second revision of which
17 document?

18 MS. KLOSS: Of the 1983 guidance.

19 PROFESSOR LEFFLER: I see, for OSD?

20 MS. KLOSS: Correct.

21 PROFESSOR LEFFLER: When do you expect that
22 review to be completed?

1 MS. KLOSS: I don't know. Two revisions, and
2 it still needs work.

3 DR. GOLDBERG: It has to be completed if
4 they're going to use contractors. We're going to need
5 more precise guidance, presumably, and broader guidance
6 than they need for their own few people that have been
7 doing it up to this point. So there is going to be a
8 revision. What it will be like, we can't tell yet, can
9 we?

10 MS. KLOSS: It is starting to take shape. And
11 I'm telling you I think it needs a lot more work in
12 order to be a productive document that will guide folks
13 in their actions.

14 DR. CAHN: Can you tell us what some of the
15 stumbling blocks are and the problems that you have
16 encountered?

17 MS. KLOSS: Categorizing information that's in
18 several hundred classification guides and putting it in
19 language that is understandable to a non-DoD audience.
20 We have a separate language that we speak. It's not
21 translating very well.

22 While I may know the ins and outs of the

1 various aircraft that we're referring to, I'm not sure
2 that our brethren in other agencies would know the
3 nuances of ASE versus navigation tools versus
4 interconnectivity of the weapons systems to the pilot
5 cockpit and so forth.

6 It is the complexity and the level of detail
7 that should be included in that guidance that we are
8 debating right now. I don't have an answer.

9 PROFESSOR LEFFLER: Once again, I'm not sure,
10 are you talking about guidelines for all of DoD or just
11 OSD?

12 I'm a little confused here, because one of the
13 things that I think we tried to focus on was that some
14 of these issues with regard to particularity of weapons
15 systems, et cetera, would not really bear significantly
16 on the types of papers and documents within OSD RG330
17 which is what we were focusing on and I thought that
18 during that discussion last time that that was the
19 emphasis OSD RG330 guidelines.

20 Are you sort of talking now more broadly about
21 DoD guidelines or just OSD guidelines?

22 MS. KLOSS: Sir, the document of question is a

1 DoD wide set of guidance that is not specific to any
2 record group or to any organization.

3 Organizational guidelines such as that issued
4 by Navy is very complete. It is stand alone
5 information, issued by Air Force as a stand alone, but
6 it has never been our intent at the DoD level, OSD staff
7 level, to issue a specific guidance for staff elements.
8 That is not to say that Washington Headquarters Service
9 may not explore that in the future.

10 PROFESSOR LEFFLER: Is there a gap here, then,
11 between what we were discussing last time in the
12 committee and what you're actually doing?

13 Because I thought the whole thrust of the
14 deliberations here, last meeting and perhaps the prior
15 meeting, was to say that in order to expedite progress
16 on the issues that concern most of the historical
17 audience related to OSD and JCS records, RG330 and
18 RG218, and that there would be a commensurate effort by
19 the people inside the government to focus on those two
20 record groups in particular in order to be responsive to
21 the demands of this committee and the larger
22 constituency outside.

1 MS. KLOSS: You are absolutely correct. There
2 was a gap. The information presented last meeting was
3 -- the depiction was that a document designed to be
4 primarily a referral threshold identification document
5 was interpreted as declassification guidance and that is
6 not the case. Declassification guidance must be replete
7 with information that will be retained in a classified
8 state, how long it will be classified, what thresholds
9 will be used to determine when it will be declassified.

10 The document that was referred to at the last
11 meeting is not that document and that's why we did want
12 to clarify the discussion points from last meeting.

13 PROFESSOR LEFFLER: So, what then is happening
14 in terms -- what is the progress that is occurring with
15 regard to declassifying and making accessible the
16 records that this group has focused on extensively for
17 the last 18 months, that is RG330 and RG218?

18 I hear a lot of sort of specialized jargon,
19 but I mean, what is the bottom line here in terms of the
20 real progress to opening up the records and making
21 available those records that we have been focusing on
22 for the last 18 months?

1 MS. KLOSS: There are two issues. The first
2 issue is the declassification of those records. OSD,
3 under the Washington Headquarters Service, Record Group
4 330, is making phenomenal progress. They are certainly
5 positioned to meet the Executive Order goal for that
6 record group.

7 Two caveats. (1) Many of the record groups
8 that are of most interest to this panel are on our list
9 of exempt records that are pending presidential review
10 and potential approval. That's issue one.

11 Issue 2 is once the records are declassified,
12 when do those records get into the hands of the
13 researcher. And that specifically is why we've asked
14 Dr. Kurtz to come back and follow up on last month's or
15 last meeting's discussion.

16 So, I do see it as two separate problems. I
17 am confident in saying to you on the declassification
18 side we're not in bad shape here. We're in pretty good
19 shape to continue the progress for the year 2000 and
20 beyond with declassification efforts. But we are also
21 not in a position to combine declassification with
22 immediate review and release.

1 PROFESSOR LEFFLER: Let me just pursue that.
2 You say most of the records that this group is most
3 interested in is going to be on the automatic exemption
4 list, is that right? It's going to be on the exemption
5 list submitted to the President, is that correct?

6 MS. KLOSS: Yes.

7 PROFESSOR LEFFLER: Once those records are on
8 the exemption list, then they don't have to be
9 declassified and opened up. So is the substance of what
10 you are saying that the things we're most interested in,
11 that progress has been made, is that you put them on an
12 exemption list so that we will never have access to
13 them?

14 MS. KLOSS: No, sir. At the first meeting,
15 sir, when we gave you the exemption list, you saw that
16 the high value records, those records that are most
17 replete with classified information are in fact good
18 category records for files deserving exemption. That
19 does not mean that they're going to be buried, that
20 means that they'll be reviewed as part of the systematic
21 declassification program.

22 PROFESSOR LEFFLER: Yes, but this panel also

1 said at that time that it took issue with the fact that
2 so many series were on that exemption list, that they
3 weren't carefully delineated in the way that this panel
4 said that they should be carefully delineated. And the
5 statement that you make that then they will be ready for
6 systematic declassification doesn't mean or give us a
7 timetable when these things will, in fact, be
8 declassified.

9 It's sort of, to my mind, it is obfuscating
10 the issue of when these things really will become
11 available.

12 Correct me if I'm wrong, because I'm really
13 trying to understand. We're told, every time we meet
14 we're told a lot of progress is being made; but, I'm not
15 sure I see that with regard to the record groups that
16 this panel has focused on, that that optimistic
17 generalization is being implemented in a way in which
18 people actually see results. Results are defined by
19 what people and researchers can actually see. And I
20 would like to know what is happening so that
21 researchers, historians, and the public will actually
22 get access to and be able to see the documents that this

1 group has said are most important.

2 MS. KLOSS: I think that is an excellent segue
3 to introduce Dr. Kurtz to talk about the procedures on
4 releasing the record. Please understand the delineation
5 between the declassifiers and the programs that we
6 represent in our charter compared to the overall release
7 issue. And if I could bring up Dr. Kurtz so we can stay
8 on some sort of a schedule, I would appreciate that.

9 PROFESSOR LEFFLER: Let me just interrupt and
10 say, Cynthia, you do a wonderful job trying to defend,
11 but I would simply, for myself at least, I don't know
12 for the other historians, but I simply would like to be
13 on the record as saying that I myself do not feel
14 optimistic. I do not share Dr. Goldberg's assessment
15 that a great deal is being accomplished and has been
16 accomplished.

17 If you can say to me and demonstrate to us
18 that, in fact, files are being declassified and being
19 made accessible to historians, then I would know that
20 progress is happening. When you can say to us that the
21 files we had stated what we regard as the most important
22 files, if those files, that actual action is being taken

1 on those files, and action meaning declassification and
2 accessibility, that's when we will know progress is
3 being made.

4 Until that happens, it does not appear that
5 progress is being made. It doesn't appear that way to
6 me that progress is being made. And I think the
7 constant effort to sort of move from the OSD and JCS 218
8 records to tell us about all the DoD records, is a way
9 -- and then to tell us that 60 million pages are being
10 declassified, that's a way to really circumvent the very
11 issues that we have said we want to focus on.

12 In order to make progress in this whole
13 venture, we have said let's concentrate on those
14 materials that we regard as most important to
15 researchers and to the public. And we agreed that those
16 were RG330 and RG218.

17 And I want to know, and I think this panel has
18 a right to know, what is happening with RG330 papers and
19 RG218 papers so that they are being declassified and
20 made accessible?

21 When that happens, we will know progress is
22 underway. Until that happens, it doesn't look like

1 progress is underway.

2 DR. GOLDBERG: From the beginning, we have
3 known that progress would be slow and that there would
4 have to be a great deal of patience.

5 I can understand your impatience, you'd like
6 to have what you'd like to have now or even sooner and
7 I'm hopeful that we'll be able to meet some of your
8 goals in the near future.

9 But you have to keep in mind that C3I has the
10 responsibility for all of DoD, that OSD and JCS are only
11 one part of it, that progress indeed has been made in
12 other areas of DoD that may not have been made at the
13 rate that you would like in OSD and JCS.

14 On the other hand, I think I'm correct in
15 saying that there is a better possibility of progress
16 now because a great deal more will be devoted to
17 declassifying.

18 You raise the issue of the exempted records
19 and that's a valid issue and an important one and
20 probably the key one.

21 On the other hand, we're not in a position yet
22 to give an answer on that because that determination is

1 going to have to be made somewhere else. I'm inclined
2 to agree with you that probably far too much has been
3 but in the exempted category.

4 PROFESSOR LEFFLER: I hope you are at least
5 articulating that. I mean, that's one of things we've
6 talked about that far too much has been put in the
7 exempted categories, but I don't hear that the
8 Declassification Management Panel or the authorities
9 that be in DoD are really taking our concerns seriously
10 with regard to that issue.

11 I think almost the very first meeting we had
12 when we saw those exemption lists that were enormously
13 expansive, and in some cases, unbelievably ambiguous, we
14 stated that these were not satisfactory and we asked for
15 clarification. I've not seen that any clarification has
16 occurred over the last two years.

17 MS. KLOSS: Actually the entire summer has
18 been devoted to each and every one of the submissions
19 being redefined, expanding more detail on what's in the
20 individual record series and the file series that were
21 on the exemption list, more definitive dates for events
22 for declassification. If it was not made clear in our

1 presentation, I do apologize. That has been a
2 tremendous effort this past summer in preparation for
3 the National Security Counsel review.

4 PROFESSOR WEINBERG: I would like to go back
5 to the issue of delegation authority. In your report I
6 heard no reference to one of the recommendations that,
7 in a sense of seeing them there, and that is the
8 suggestion that where portions of DoD are reluctant to
9 delegate either to each other or outside the possibility
10 of chronological division, delegation up to 1955, 1960,
11 whatever date the people involved. Is any thought by
12 those who seem hesitant about delegation being given to
13 the possibility of delegating up to some chronological
14 point in the period covered by the records?

15 MS. KLOSS: Well, ~~We~~ have discussed
16 delegation. We discussed delegation on topical lines,
17 on chronological lines, and I hope that tomorrow's
18 demonstration will give you more confidence that at a
19 component level, where there is definitive guidance that
20 delegation is in fact being executed right now. For a
21 blanket DoD policy, though, we are not prepared to make
22 that recommendation to our leadership. That may be

1 something in the future, but not right now. What we
2 tried to do this morning is give you a recap of progress
3 to date. We still are working on it.

4 PROFESSOR WEINBERG: Has there been any
5 internal discussion of this chronological issue within
6 the delegation question which has been bothering
7 everybody since we got started?

8 MS. KLOSS: There has been discussion
9 internally, yes, sir.

10 DR. GOLDBERG: I think we better give Mike
11 Kurtz an opportunity to speak his piece and to answer
12 questions and to continue this discussion.

13 BRIEFING BY

14 MICHAEL KURTZ

15 MR. KURTZ: My task at the last meeting, as I
16 suggested, that NARA would do a project to try to find
17 out how long it really takes to do the processing once
18 the records are transferred to us in accession for
19 RG330. Let me kind of go through that. I will try to
20 be as clear as I can about what we found and how much
21 time it's going to take. It's no cause for undue
22 optimism, as far as the time period that it takes.

1 Our basic problem, first of all with this
2 particular collection is that the documents that are
3 exempt were not tabbed, they're stamped. So it requires
4 going through page by page to find the stamped documents
5 so that they can be withdrawn and that takes a lot more
6 time than when the records are tabbed.

7 BG ARMSTRONG: Has any change been made to
8 that to make it easier for you?

9 MR. KURTZ: I assume now everyone is supposed
10 to tab, right?

11 MS. KLOSS: That's what we're asking for.

12 BG ARMSTRONG: Okay.

13 MR. KURTZ: That would speed it up a good bit.

14 The other thing is, sometimes the records are
15 disarranged so they have to be put into proper
16 arrangement. We have to do some basic cataloguing
17 information, descriptive information. Our agency is
18 developing an on-line catalogue to all of our holdings
19 and so this is obviously part of that. So we have the
20 basic description, the basic arrangement problems. We
21 have also holdings maintenance where if records are
22 falling apart, or folders are acid-base folders, we've

1 got to put them into acid-free folders, acid-free boxes
2 identifying the exempt documents. So on a
3 ten-cubic-foot part of the accession, it takes almost a
4 hundred hours of processing.

5 We have accession to date in RG330 almost
6 3,100 cubic feet. Mel Leffler asked me a question
7 beforehand and I have all kinds of numbers and so forth,
8 except what he asked me, which is what's still at the
9 records center in Suitland, because there's a large body
10 of 330 material that's scheduled to be transferred
11 between 2000 and 2016. By schedule, I'm referring to
12 the disposition schedules that dictate when series of
13 records are transferred to us.

14 DR. CAHN: Could you just repeat the figure
15 you gave, a hundred hours of processing for --

16 MR. KURTZ: For ten cubic feet.

17 DR. CAHN: For ten cubic feet, thank you.

18 MR. KURTZ: And right now we have about 3,100
19 cubic feet accession.

20 What I want to do is, when we get back to the
21 office, is get information back to the committee that
22 will provide -- tell you how many cubic feet are at

1 Suitland in RG330, if you don't feel like waiting until
2 the next meeting, we'll just get the information to you
3 so you know the totality of the number at least.

4 PROFESSOR LEFFLER: Michael, those 3,100 cubic
5 feet that you have cover what years?

6 MR. KURTZ: Jeanne, do we have the years, the
7 time frame that the 3,100 cubic feet covers?

8 MS. SCHAUBLE: No, I don't have it.

9 DR. GOLDBERG: Probably in the early 1960s.

10 MR. KURTZ: I was going to say mid-60s at the
11 latest.

12 DR. GOLDBERG: About 1963 or '4, probably.

13 MR. KURTZ: '53 - '64.

14 PROFESSOR LEFFLER: So from around 1954 to
15 '60?

16 MR. KURTZ: Right. One of our -- let me kind
17 of give you the overall problem that we have with
18 processing and then pose an idea to see if it might be
19 useful.

20 We have tens of thousands of cubic feet to
21 process from the State Department and from the other
22 agencies. We have a backlog of processing now of

1 approximately 25-30,000 cubic feet.

2 The issue for us is to make available to
3 researchers what it is they're most interested in. It
4 has been a long time since the Archives convened kind of
5 a summit of academic researchers to really kind of go
6 through what we have in our backlog and to identify what
7 is the highest priority, what's the most interest to
8 researchers and to kind of work our schedule that way.

9 We don't have anything invested into doing
10 this accession over that accession. It is really what
11 is going to be most useful. So what I'm thinking of
12 doing this fall is to organize an informal meeting of
13 our most active researchers and make sure, try to cover
14 all elements of the researcher community and to really
15 deal with the issue of priorities and see if that helps.
16 Because, you know, for instance, Mel, you are interested
17 in State Department records, you are interested in 330
18 and 218. And we need to try to kind of work out some
19 kind of orderly system to just sort of work this
20 through.

21 It's probably been five or six years at least
22 since we did that.

1 BG ARMSTRONG: Can I ask you a question about
2 that?

3 MR. KURTZ: Sure.

4 BG ARMSTRONG: When you do that, are you going
5 to take into consideration the other declassification
6 efforts that basically made things available,
7 particularly the Persian Gulf stuff, the DoD MIA/POW
8 stuff?

9 My understanding is that has come out sort of
10 separately from NARA. In other words, it doesn't come
11 out through the NARA process, it comes out through some
12 sort of DoD process.

13 MR. KURTZ: What I'm talking about is a
14 process which will be accessioned.

15 BG ARMSTRONG: I understand that, but those
16 records are within the public purview now not having
17 gone through your process, is that correct?

18 MR. KURTZ: Not that -- I don't think so. I
19 mean I'm talking about what we have made available not
20 what the department has made available.

21 MS. NASARENKO: I'm Jennifer Nasarenko from
22 Defense Prisoner of War Missing Personnel Office. To

1 answer your question, an enormous amount of what is at
2 Suitland awaiting the year 2000 or between 2000 and 2016
3 to be accessioned into the Archives was reviewed under
4 the Central Documentation Office and what is now the
5 PMO. And copies of that were made that was reviewed,
6 redacted, to be declassified and they are now available
7 in the Library of Congress collection that I will speak
8 to later on this morning. An enormous amount of that is
9 in the public domain already.

10 BG ARMSTRONG: The point I'm trying to make is
11 just that fact, that that material is in the public
12 domain and when you have your meeting, that be taken
13 into consideration because what I'm trying to get at is
14 we don't want to do the same thing twice.

15 MR. KURTZ: Right.

16 DR. GOLDBERG: You are dealing with accession
17 material.

18 MR. KURTZ: Exactly.

19 DR. GOLDBERG: You are not dealing with
20 material that still belongs to other government
21 agencies. They still have a right to do with it what
22 they please until you get hold of it. So your concern

1 is what you hold now.

2 MR. KURTZ: Right.

3 Those were the basic points that I wanted to
4 bring across and get your input whether you think that
5 kind of a meeting would be useful to the researcher
6 community --

7 DR. GOLDBERG: Can you speak up, please.

8 MR. KURTZ: Okay. I just wanted to get the
9 committee's reaction to the idea of having kind of a
10 round table session on priorities, as far as our
11 processing goes.

12 DR. GOLDBERG: Gerhard.

13 PROFESSOR WEINBERG: Since everybody would by
14 definition if you have this be upset at being left out,
15 may I make a practical suggestion and that is that you
16 get, or that at least you consult with the joint
17 committee and historians and Archives of the SAA, AHA,
18 and OAH, and ask them to provide advice in convening the
19 panel, because after all, those are the representatives
20 of the professional organizations. They may not
21 themselves be the ones who are your most busy customers;
22 but, they are delegated by their respective

1 organizations to do this sort of thing.

2 MR. KURTZ: That's a good idea, thank you.

3 DR. GOLDBERG: You'll get all sorts of
4 recommendations for priorities. Who will then establish
5 the priorities?

6 Because if you take what you're given by
7 researchers, you're going to have one big broad band of
8 priority one.

9 MR. KURTZ: I'm hoping that we can have kind
10 of a frank and full discussion.

11 PROFESSOR LEFFLER: We had about six years ago
12 at the Archives when we met, there was a very good
13 discussion.

14 MR. KURTZ: It wasn't all priority ones.

15 PROFESSOR LEFFLER: No, we really made some
16 fine distinctions.

17 MR. KURTZ: We did something similar also with
18 historians interested in DOE, atomic energy records and
19 that kind of set our work, our processing work load
20 there. I'm more optimistic than that.

21 DR. CAHN: You envision this meeting would be
22 just to go over your DoD records?

1 MR. KURTZ: No, the totality. I think it
2 would be very interesting -- DoD in a sense is too
3 narrow. You need to look at all the records that
4 historians are interested in.

5 DR. CAHN: You probably want to have at least
6 one representative from each of the panels, which is
7 already advising the other agency as well as our own.

8 MR. KURTZ: Definitely would do that and I
9 really like the idea of a joint committee as the right
10 vehicle to work with.

11 BG ARMSTRONG: Is this meeting going to be
12 open to the public?

13 MR. KURTZ: Sure.

14 BG ARMSTRONG: I think it should be.

15 MR. KURTZ: No reason for it not to be.

16 DR. GOLDBERG: Researchers are members of the
17 public.

18 BG ARMSTRONG: Yes.

19 DR. GOLDBERG: Are there any other questions
20 for Mr. Kurtz?

21 MR. KURTZ: Thank you.

22 DR. GOLDBERG: Just a minute.

1 PROFESSOR LEFFLER: Michael, what is the
2 bottom line?

3 You probably mathematically worked it out, a
4 hundred hours of processing for ten cubic feet, 3,100
5 cubic feet, this is just a small percentage of the
6 total. When will we start -- give us some notion for
7 the public record of when we will really start seeing
8 these records, given the formidable task that lies
9 ahead, especially in light of the refusal to grant bulk
10 declassification?

11 MR. KURTZ: Well on the 3,100 cubic feet,
12 President Clinton came to this building a couple of
13 weeks ago to launch his Millennium initiative and maybe
14 we need to look at this processing project as one of the
15 Millenniums.

16 PROFESSOR LEFFLER: It'll be the next
17 Millennium.

18 MR. KURTZ: Right.

19 (Laughter.)

20 MR. KURTZ: This is going to take, at the pace
21 that we're going, this is going to take about four of
22 five years to complete the processing on this 3,100

1 cubic feet. People can get to it as the processing is
2 completed. It's not like they have to wait for the
3 whole thing.

4 My reason for wanting to get some kind of
5 consensus if it's at all possible on priorities is this
6 is a very slow pace. And if in the process of
7 consultation that this becomes a higher priority than
8 some other collections we're processing, then you can
9 put more people on it. It's a people issue. How many
10 people are working on the collection? There's nothing
11 real esoteric about that.

12 DR. GOLDBERG: How much would you have to
13 refer, of those 3,100, how much would you have to refer
14 back to OSD, for instance?

15 MR. KURTZ: Jeanne?

16 MS. SCHAUBLE: These particular records have
17 already been reviewed by OSD under their systematic
18 review program.

19 DR. GOLDBERG: All of it?

20 MS. SCHAUBLE: I can't say the whole 3,100.

21 DR. GOLDBERG: Any of it exempted?

22 MS. SCHAUBLE: Owe yes, that's what we are

1 looking for.

2 MR. KURTZ: Did you mean exempted from the
3 file series exemption or have been exempted on the
4 systematic review?

5 DR. GOLDBERG: Either one.

6 MR. KURTZ: What I was talking about, finding
7 the stamped documents, they have been exempted, so yes.

8 DR. GOLDBERG: A substantial amount falls in
9 that category.

10 MR. KURTZ: That's right.

11 PROFESSOR LEFFLER: All this material, of
12 course, was reviewed prior to the end of the Cold War
13 maybe under the 1983 guidelines, maybe even before the
14 1983 guidelines. And that stuff is going to be set
15 aside and nobody is even going to be able to look at
16 that for the indefinite future, right?

17 Because all you are doing is pulling it out
18 and putting it in separate boxes and there's absolutely
19 no hope of anybody ever getting to see that material,
20 except through FOIA requests?

21 MR. KURTZ: Realistically, that's right.
22 There is so much material to get through that hasn't

1 even been reviewed, I'm not just speaking about DoD or
2 OSD. That's our first priority, not materials. This is
3 an issue with the State Department records too that had
4 been previously exempt, you know not being re-reviewed
5 under the guidelines.

6 Just for a little historical note, when we
7 were working on the Executive Order that declassifies
8 World War II information, one of our proposed categories
9 was previously exempt material from World War II. And
10 the agencies really strongly objected to that, they
11 wanted to have a re-review. So it's an issue that's at
12 some point somebody's got to re-review it.

13 PROFESSOR LEFFLER: As a practical
14 consideration here that might be constructive, your
15 people actually are going through each box and
16 physically putting your hands on every piece of paper,
17 right, essentially.

18 Wouldn't it make sense, wouldn't it be
19 incredibly desirable, since you have to do that in any
20 case, if you had some guidelines that said, as you look
21 at it, so much of that material which was once
22 classified -- which they said should not be opened up,

1 would now under any reasonable interpretation be opened
2 up, right?

3 MR. KURTZ: Yes.

4 PROFESSOR LEFFLER: I mean the vast majority,
5 given the changes. Wouldn't it make sense if you had
6 guidelines for a few people from OSD over there, you
7 know, saying, okay, let's do this while we're physically
8 putting our hands on it anyway, it would save so much
9 time because ultimately sometime in the future when the
10 next Millennium comes around, those materials will be
11 there and you will be sending over a thing and we'll
12 hear steady progress is being made.

13 But I would make a suggestion here for us to
14 think about whether it would be desirable to ask OSD,
15 probably up for -- there may be disadvantages to this --
16 to actually have people there when you are going through
17 it. If this material is accessioned, as some of the
18 most important material that we've identified is being
19 handled, why not try to at least do what we can to make
20 it available?

21 MR. KURTZ: I think Cynthia and I should talk
22 about that and see how to do that.

1 BG ARMSTRONG: I further bring in the idea of
2 looking at the oldest records first and getting some --
3 it boggles my mind that we're still worried about old
4 World War II records, except in a very few cases. If I
5 could think of one now, I'm sure there are some, but we
6 really ought to get past that.

7 I really do think that some sort of -- even if
8 it's 1950, that prior to 1950 these records, with some
9 few exceptions, be automatically declassified.

10 Because I really do think that Mel has a point
11 about this getting on with getting some sort of guidance
12 with people other than the services and OSD can use to
13 make some decisions. We have just heard the Air Force
14 say, yes, we'll trust the Navy to do this. We all work
15 for the same government and it seems to me reasonable to
16 assume that a person at NARA, even though he or she may
17 never have had a uniform on, can take guidelines and
18 interpret those, particularly for older materials.

19 Just your suggestion about, let's only look at
20 it one more time before we declassify it is really a
21 good one.

22 MR. KURTZ: I think then Cynthia and I need to

1 talk and see what we can do to try to make this a
2 one-time review.

3 DR. GOLDBERG: There's not much that boggles
4 my mind anymore about this subject. But I do certainly
5 endorse the idea of re-reviewing all of this material
6 and for OSD and other components of DoD to take
7 responsibility, it seems to be the most efficient and
8 sensible way of doing it and I think we should pursue it
9 very strongly with DoD and its component elements. It
10 is a major consideration. I think it is correct, things
11 that were exempted 15, 20, 25 years ago or even longer,
12 certainly many of those don't need to be exempted any
13 longer. We should certainly make every effort to use
14 some of these resources that we expect to be getting for
15 that purpose, I think that should be one of our stronger
16 recommendations.

17 PROFESSOR WEINBERG: That would also reduce
18 the cost issue of keeping things classified. Because
19 the National Archives ends up with huge physical
20 collections of classified material. If those could be
21 shrunk, maybe everything before 1950, except in the
22 records of mass destruction category, let us say, that

1]will dramatically reduce volume and, therefore, cost.

2 MR. CLARKE: Yes. Mike, have you attempted to
3 have the people from DOE and --

4 MR. KURTZ: Uh-hum, we have a lot of people --

5 MR. CLARKE: -- working declassifying their
6 own records?

7 MR. KURTZ: We have a significant Air Force
8 contingent, CIA, State Department, DOE, Navy is about to
9 send over a number of them.

10 MR. CLARKE: That's not unusual at all.

11 BG ARMSTRONG: Mike, we talked a lot about
12 this flood of records being reviewed and so forth and so
13 on. That flood, I guess has started to reach you in
14 same fashion. Has NARA gotten any additional assets to
15 deal with these records?

16 MR. KURTZ: Not one.

17 BG ARMSTRONG: I suggest I don't think that's
18 appropriate for this panel to comment on, but certainly
19 the academic members ought to point out that in their
20 professional societies that the federal government can
21 sort of wash its hands of much of this stuff and it
22 doesn't get to you, the exact problem that you've talked

1 about, there's nothing more frustrating than to be told,
2 yes, we have done our part, but it still hasn't been
3 processed.

4 DR. GOLDBERG: The lack of resources by NARA
5 points up all the more the necessity and the
6 desirability of the other government departments
7 providing assistance in reviewing this material and
8 especially the exempted material. And if DoD is going
9 to have additional resources, it seems likely, then some
10 of it ought to be devoted to that purpose.

11 MR. KURTZ: Absolutely.

12 DR. GOLDBERG: You endorse, I take it?

13 MR. KURTZ: I do. I like this idea, is even
14 better than yours.

15 (Laughter.)

16 BG ARMSTRONG: I don't know, but I think the
17 panel ought to sort of go on record, I personally agree
18 with the thrust of Mel's argument which essentially is,
19 look until a researcher can look at the material, the
20 government really has not finished its job. And it
21 ought to think of this process of declassification and
22 think about it all the way through the process to

1 getting it actually in the public record and in the
2 public's hands.

3 Cynthia has -- I've listened to Cynthia for 18
4 months now and she is wonderful, but she has a different
5 set of issues to deal with. And the frustration that
6 Mel is expressing I think is understandable.

7 She is talking about her process and you are
8 saying, wait a minute, there's nothing coming out of the
9 tap. You are turning the spigot at your end and putting
10 enormous money and hours into it, but nothing is coming
11 out to a scholar and the public at the other end.

12 I think that's an important issue that needs
13 to be addressed and I think Al is right, that OSD has an
14 interest, although, it may not be a responsibility
15 directly, it certainly has an interest for getting the
16 kinds of information that it does agree can be
17 declassified into the hands of the public.

18 DR. GOLDBERG: Before we break, let me say one
19 word to you, Mel. There's lots of frustration on that
20 side. Perhaps not exactly the same as yours, but I'm
21 sure Cynthia is faced with frustration all the time in
22 dealing with this subject. There's so many elements

1 involved, there's so many complexities and it gets to be
2 so difficult at times to get people to do things or to
3 commit themselves to things. There's bound to be a
4 great deal of frustration, even irritation. Having said
5 that, why don't we take a break for five or ten minutes.

6 MS. KLOSS: Rich, how is your time?

7 MR. WARSHAW: My time is good.

8 MS. KLOSS: So we can do a short break and you
9 won't be off schedule, thank you.

10 DR. GOLDBERG: All right.

11 (Recess.)

12 BRIEFING BY

13 RICH WARSHAW

14 MR. WARSHAW: I thank Mr. Leonard for his kind
15 words. I am the chair of the External Referral Working
16 Group, but I have another role as Chief of CIA's 25-Year
17 Automated Declassification Program. Okay, I am talking
18 now though exclusively about the External Referral
19 Working Group, an interagency group.

20 We're at the beginning of the referral
21 problem. Well, the referral process has been in
22 government for a long time, but it's picked up in the

1 Executive Order, I think, quite explicitly. And
2 basically that's from the Executive Order and the last
3 sentence there, or the last part of the sentence says,
4 "It shall refer copies of any request and the pertinent
5 documents to the originating agency for processing...."

6 So it's picked up in the Executive Order
7 itself that there is a referral problem and there is an
8 obligation to refer. Now, there's a great deal of
9 debate as to what that means, obviously, there are other
10 ways of doing it. It just acknowledges some originating
11 agency equity in the information.

12 So in practice, what is referral?

13 We see two types of referral, basically. One
14 is when you note your agency X, I'm talking here, by the
15 way, specifically with respect to 25-year
16 declassification efforts, not with respect to other
17 programs that have been mentioned and no doubt will be
18 discussed.

19 But in the 25-year world, we refer to
20 referral, two types. If for example, you have an equity
21 of an agency imbedded in your document, other agency
22 information that is ferreted out, either cleanly or

1 perhaps ambiguously in a document in your collection,
2 there is the obligation to notify, et cetera, the other
3 agency and seek their guidance.

4 Another type which is also very common, that's
5 the presence of a complete letterhead document of
6 another agency in your collection. And once again, the
7 referral obligation, and of course, that goes back and
8 forth between the agencies and creates an enormous
9 amount of work and an enormous amount of complication.

10 Let's try to break the problem down a little
11 bit here. In order to catch the referral problem, a
12 primary review has got to take place somehow. And
13 generally speaking, agency ownership does exist, but
14 there are exceptions like presidential libraries and NSC
15 material where you really don't have a natural body to
16 do the primary review even. So the problem gets more
17 complicated and the ERWG has basically taken on board
18 those major collections as well.

19 Then you have the notion of identification of
20 the equity. It's not always obvious. And then the
21 responsible agency problem, how do you get it to whoever
22 in theory is the responsible agency?

1 I think there was some discussion of the DoD
2 concern on that. And believe me, it is very, very
3 difficult as you try to trace back in this old material
4 who the responsible agency is sometimes.

5 Then we have what we do once we find it and
6 really the referral community talks about two notions.
7 One is tabbing, you heard that word mentioned, and then
8 notifying the responsible agency that you tabbed it.
9 Sounds like a fairly straightforward thing to do, but
10 when you get into large volumes, it becomes very
11 complex.

12 And then there is also a school of thought
13 that believes in physical document transfer. Basically,
14 you send them the document and you ask them to review
15 it. Then they've got to do the review and then they
16 have whole notions of mark up and ultimate resolution of
17 how do they indicate the results of their review, et
18 cetera, et cetera.

19 Now what makes this interesting is the volume.
20 Of course it's interesting anyway, but what makes it
21 particularly interesting -- I hark back to the Moynihan
22 Commission and the numbers in the Moynihan Commission

1 for nonexempt records, now we talked about exemptions,
2 put a lot aside. But after you put a lot aside,
3 government wide there's a lot left, a big lot.

4 The minimum number in the Moynihan Commission
5 report is 720 million. That is the minimum. That is a
6 very large number. Primary review is a problem. I will
7 assert that.

8 Secondary review or referrals is also a
9 problem, even if you take estimates like 10 to 20
10 percent, because there that's additional work load
11 involved in referrals. And so the 10 to 20 percent
12 you're down 70 or so to 140 million pages that have to
13 go through the referral process. That is complex.

14 Work load is a major problem, equity
15 identification and responsible agency issues are
16 complicated. So about the only way you can attack a
17 problem of this magnitude -- I like to refer to it as
18 kind of the Manhattan Project Declassification. The
19 whole 25-year effort is really on that scope of
20 complexity and size. Slight exaggeration, perhaps.

21 We have to work together on things like
22 efficiency, cooperation, standards, automation, training

1 and all these things and that's where the ERWG comes
2 into play.

3 A little history on the ERWG. Shortly after
4 the Executive Order was signed, the intelligence
5 community formed a group they called the
6 Declassification Program Managers Council, I heard speak
7 of the DoD Council, that's probably somewhat similar.
8 And that group quickly noted that, though it was a high
9 level group, if they actually wanted some work done,
10 they'd better get down to lower level declassifiers, et
11 cetera, and they formed several working groups, in
12 January of '96, as a matter of fact.

13 One of these was the External Referral Working
14 Group, a terrible acronym, but that's the one they came
15 up with. And the ERWG started out with four or five
16 intelligence community agencies or related agencies, but
17 it has quickly grown to over 40 declassification
18 activities. And I think there's a good reason why it
19 grew way beyond the community, is because there is
20 tremendous need in this area with the April 2000 date
21 confronting all agencies to work together. We know
22 that's a concern of many folks, do they work together,

1 et cetera. Well, it's taken time, but I do believe
2 that's coming together. And just the existence of the
3 ERWG which is basically an organic organization, there
4 was no fiat. It was very informal and continues to be.
5 I think it's an indication of agency interest across the
6 board. The ERWG is an active group. It meets monthly
7 at Archives. As a matter of fact, it met yesterday for
8 over three hours.

9 The structure under the DPMC, there are three
10 groups, actually. There is an ERWG, also to address the
11 automation problem. They formed an Automation Working
12 Group. And because automation has some particular value
13 in the referral area, the AWG has concentrated on
14 automation support referral and I will talk briefly
15 about that.

16 There is a third policy type group, the Public
17 Disclosure Coordinating Committee, which has to do more
18 with declassification policy on issues of
19 declassification not process. These groups are
20 basically process, ERWG and AWG are process groups.

21 A few more words about the Automation Working
22 Group. That is chaired by Tom Curtis in the Department

1 of Energy. And particularly it's composed of agencies,
2 again, it's gone way beyond the intelligence community,
3 interested in applying technology to declassification.
4 And what they have accomplished, I think it's a real
5 accomplishment, is they've come up with a draft standard
6 for the automated referral of documents. I think that's
7 a big breakthrough.

8 BG ARMSTRONG: Is that standard, will it be
9 implemented at anytime soon?

10 MR. WARSHAW: The standard will be implemented
11 informally. There is an issue as to how it gets
12 implemented formally. But I think what will probably
13 happen is ISOO will pick it up in subsequent revisions
14 of implementation of the records that support the
15 Executive Order. But informally, I think it's got the
16 full support of the ERWG.

17 BG ARMSTRONG: What does informal mean?

18 MR. WARSHAW: It means they're using it.

19 BG ARMSTRONG: Okay.

20 MR. WARSHAW: Which is really the issue. The
21 formal part often takes, or they're prepared to use it
22 because it is new, the formal part, obviously, can take

1 years. We're confronted with April 2000. Formality
2 sometimes is a problem when you have a deadline like
3 that.

4 The participants in the working group, the
5 ERWG are, as I said, are 40-plus activities. And I say
6 activities, because sometimes there are multiple
7 activities in an agency and it all gets so complicated
8 it's hard to sort out.

9 We occasionally ask for a vote and then all
10 hell breaks loose, because who votes for what? Who
11 votes for the Navy? It's very complicated, but we get
12 the job done.

13 You can see I just listed many of the units
14 that actively participate. Overseas private investment
15 corporations are continually surprised by units of
16 government that have classified information and seek to
17 help in declassifying it.

18 What are some of the initiatives of ERWG and
19 the Automation Working Group?

20 I think, in particular, what we've done in a
21 more informal sense, we heightened awareness
22 considerably within the declassification community.

1 I think there is now a strong interest in
2 referral in the declassification community. We've also
3 done tremendous information sharing on 25-year
4 declassification generally, and very important, is
5 technology exchange. All agencies are seeking ways to
6 do this more productively, more efficiently, et cetera.

7 We've instituted a program -- I'm going to
8 talk more about these, called ^The Remote Archive Capture
9 Program to deal with issues of presidential library
10 material, obviously very important in collections of
11 material.

12 I mentioned earlier equities identification.
13 That is both a science and an art, perhaps more of an
14 art, and there's a great need for training in that. And
15 we have instituted one training program and we're
16 working on our second one as we develop our ability to
17 basically have agencies brief on their equity issues.

18 Now, the interesting part about that is most
19 agencies have given no thought to what their equity
20 issues are. So a secondary benefit is, this forces them
21 to attempt to think through and explain to another
22 agency or to a group of declassifiers what their equity

1 interests are. So I think that's been useful.

2 We've also come up with a referral standard
3 that I'll talk about as well.

4 There is also the electronic referral standard
5 that I mentioned. And the ERWG is also participating
6 and actually coordinating a community review of NSC
7 material at NARA.

8 NSC material, the NSC has backed off from the
9 primary reviewer role and in essence they've done one
10 mass referral of everything they own to the world at
11 large. They say you come in here and look for it and if
12 it's yours, you declassify it. And they're not
13 asserting among this NARA group of NCS records any
14 primary review responsibility at this point. This is
15 probably a resource related issue.

16 Another thing we're at least discussing is a
17 database for equities notification. I'll quickly go
18 through some of these.

19 The presidential libraries problem, I assume,
20 you are all very well familiar with. I'll just mention
21 the early numbers. The early numbers that took us a bit
22 by surprise. These numbers have been whittled down

1 because of active activities -- active work on the part
2 of the libraries, et cetera.

3 We had big numbers out there and, yes, it has
4 some libraries that are very surprising. But Jeanne
5 Schauble can tell us the whole story as to why Hoover
6 still has some classified material.

7 There are people who donate records. They
8 donate material and they acquire their collections in
9 various ways, though not necessarily related to the date
10 of the president, et cetera, here.

11 But anyway, again the numbers are a big issue.
12 And early on the RAC program came up as Remote Archive
13 Capture as a possibility, because how do all agencies
14 review these ambiguous equity materials at libraries?

15 Basically, we could rent large groups of
16 hotels adjacent to the library and camp out for long
17 periods of time and have hundreds of people go through
18 the same box identifying equity. But that clearly was
19 not the preferred solution for all parties, including
20 the library itself, which are heavily space constrained
21 and don't like handling material too aggressively. So
22 the ERWG came up a notion of Remote Archive Capture

1 which basically is scanning of material at the library
2 and bringing it back to Washington in electronic format,
3 distribute it electronically to the various agencies for
4 their review.

5 DR. GOLDBERG: Is that secure?

6 MR. WARSHAW: Secure. It's brought back. At
7 this point, it's brought back on media, et cetera, and
8 so yes.

9 BG ARMSTRONG: Is it distributed
10 electronically?

11 MR. WARSHAW: Not yet, but that's the goal.
12 The initial group was distributed manually. But we are
13 building, and I have some more material, a process to do
14 it in automated fashion.

15 There are, let's face it, some agencies are
16 more equipped to deal with it in automated fashion.
17 Other agencies, we are working on some fairly
18 straightforward stand alone type of tools that will
19 allow them to accept media with library material on it
20 like a CDROM, et cetera, and to review on a single work
21 station.

22 There is a lot of automation involved in the

1 RAC program and that's delayed our start up. But we
2 have begun by some ad hoc means. We have conversion at
3 the library itself. And obviously that also involves
4 people.

5 And then we bring them to Washington where
6 there is a remote Records Consolidation Center or RCC.
7 That basically is the mail sorting room that sends them
8 out to the various agencies, et cetera. And then once
9 the primary agency reviews -- we have to ascertain what
10 that primary agency is, it doesn't come necessarily
11 labeled -- that's done basically at point of records
12 conversion with the assistance of the library, they
13 indicate what they think may be a primary agency. And
14 then there are often secondary referrals off of that, et
15 cetera. Then it all goes back to the library, the
16 results of the review go back to the library.

17 What's the status of the program?

18 We have done early work at LBJ, captured
19 100,000 images there, 100,000 images at Kennedy, active
20 participation of agencies listed there. The LBJ pages
21 have been, at least partially, fanned out and partially
22 returned to LBJ. Kennedy material is next.

1 Now this portion was a done manually, because
2 this is in the early phase. The collection was
3 electronic, et cetera. But once we brought it back to
4 Washington, the automation tools, that RCC thing was not
5 -- has not fully been implemented yet, so we did revert
6 back to manual just to get the process moving. But we
7 hope ultimately to do that electronically.

8 What's the schedule?

9 We hope to finalize some of these automation
10 requirements that are sophisticated by November, deploy
11 production, not prototype collection systems, early
12 calendar '98 and begin routine delivery to the agency
13 shortly thereafter. Okay, that's the RAC program.

14 Then I mention the issue of equities
15 identification. What we've done in training, and
16 there's a lot of interest in that, I think I spoke to
17 the nonexistence of much thought on the area of equity
18 recognition and equity identification. And I think
19 that's firming up now, particularly when they are told
20 that they will be asked to participate in training
21 programs.

22 The first one we had in May of '96 was very

1 mixed in terms of the quality of the presentations and
2 clearly most agencies had a lot of work to do in terms
3 of thinking through the equity issue. Defined broadly,
4 you get it all. Defined narrowly, you miss what you
5 really need. The art is getting the right point in
6 between.

7 Okay, another major item on the original list
8 was the referral standard. Now, this is a paper
9 standard. That is a standard to provide a common
10 vocabulary, common procedures for the referral of
11 records. It is not the electronic as a separate element
12 to this.

13 This was a team within the ERWG that spent
14 about six months, inter-agency team, lead by ISOO. We
15 completed it in April of '97. Because of the way the
16 ERWG was formed, this was passed forward to the DPMC.
17 DPMC approved it shortly thereafter and it is now in the
18 process of forwarding it back to ISOO, who we understand
19 wishes to incorporate it ultimately in a directive, back,
20 basically, there is an implementing directive to the
21 Executive Order and that may be revised at some point
22 shortly and this would be incorporated in it as a

1 current plan.

2 But the important thing is membership is
3 voluntarily following this. And this is -- it's like a
4 standard form of contract. Rather than dozens of
5 multi-agency, multi-lateral discussions of how we will
6 refer, you have a standard form of contract, i.e., the
7 standard. And there could perhaps be variations.
8 Things happen in the real world. But we all have a
9 common starting point on how we toare refer.

10 What does it cover?

11 It sets out the referral obligations. It sets
12 requirements for notification, it's very clear on that.
13 Tabbing without notification is unacceptable, et cetera
14 et cetera. And it attempts to deal with this
15 interaction that gets very complicated and between
16 agencies that redact and agencies that pass-fail. This
17 is a whole -- it's an esoteric sub-area of referral, but
18 it does generate all kinds of problems.

19 BG ARMSTRONG: You mean there's not a single
20 government standard as to one or the other?

21 MR. WARSHAW: No, the Executive Order is quite
22 plain on that. It encourages agencies to redact, but

1 permits pass-fail. So certain agencies do pass-fail and
2 certain agencies do redactions. The ones that do
3 redactions are clearly the ones that would not have much
4 success on the pass side of the pass-fail. Those are
5 the heavy quantity of exemptable information.
6 Obviously, they just pass-fail, you get largely fail.
7 In order to get material out, they've got to do
8 redaction, et cetera.

9 There are other agencies that have basically
10 low sensitivity material pass-fail yields primarily pass
11 and, therefore, they don't do the extra work and
12 redaction is extra work for them on the fail documents.

13 There are some technical areas like
14 exempt-in-full documents. There was some theoretical
15 problems with exempt-in-full or fail for those who do
16 pass-fail.

17 What happens is, what about secondary reviews?
18 If you fail up front, the secondary review generally,
19 for efficiency purposes, is not done and actually the
20 identification of the equity may not be done, et cetera.
21 So, if you are required, as you are by the Executive
22 Order to establish a date and event, there are some

1 issues as to how you do that when you haven't
2 necessarily worked out all the details of the secondary
3 review.

4 In any case, this standard asserts in essence
5 that secondary reviews can take place at the date event.
6 Otherwise, we're spending a lot of effort on detailed
7 review of exempted or failed documents. In other words,
8 referring. You've got to establish all date events for
9 all information in an item, you would have to refer, in
10 essence, documents that are exempt, deemed
11 exempt-in-full by one of the agencies in the process.
12 It doesn't seem to be a good expenditure at this time of
13 resources considering all the unreviewed material, a
14 fairly esoteric problem. But the real world agencies
15 were confronted with it.

16 Then it also provides a marking standard. I
17 think this is very useful. It goes beyond referral in
18 effect. It basically says how are we going to finally
19 mark up these documents so everyone understands the
20 final status and what took place on it? It sounds
21 trivial, but believe me it is not, given the multitude
22 of situations.

1 Now, I have a slide here. I anticipated some
2 of your earlier comments on delegation. If we delegate
3 aggressively, all this problem goes away, so why am I
4 here?

5 That has been discussed many, many times. Our
6 friends at the National Archives really keep our feet to
7 the fire on delegation.

8 But in practice, many agencies have concerns
9 and I won't reiterate that earlier discussion with
10 things like top quality, detail and currency of
11 standards. Standards are a problem. We talked to
12 developing standards, but I appreciate DoD's problem.
13 Generating overarching standards are very difficult
14 because of all the special cases.

15 Specific standards on a technical system
16 perhaps are easy, but when you try to do agency wide
17 standards, it gets complex. So the quality is not
18 particularly ^{good} in the first pass. There are issues with
19 experience and training of reviewers. And then there
20 are quality control issues of delegation. In any case,
21 many agencies do believe that referral is, at least
22 until we get more experience, a key element. It's very

1 possible -- as the process matures, classes of
2 information will be delegated.

3 DR. GOLDBERG: What about trust?

4 MR. WARSHAW: That's an issue.

5 BG ARMSTRONG: Yes, I'd say that's the real
6 issue.

7 MR. WARSHAW: Perhaps. But I do believe there
8 are experience and training and issues that are very,
9 very real. One cannot expect reviewers to be expert in
10 all the multitude of areas.

11 BG ARMSTRONG: Do you expect your current
12 agency to ever, under any circumstances, to allow other
13 people to review and declassify their material?

14 MR. WARSHAW: I'm here speaking for ERWG. But
15 the answer to your question is, I do believe at some
16 point in time in certain areas there is a possibility.
17 I can't really offer an official opinion on it. But my
18 feeling is that when our experience builds that we're
19 getting a multitude of documents of a very well defined
20 category that is clearly nonsensitive, we can then
21 construct guidance for delegation.

22 But it's going to be in narrow areas. I mean

1 chronological is obviously a sensible beginning point.
2 But there are issues with older documents that clearly
3 -- in the sources and methods area for example.

4 PROFESSOR WEINBERG: Aren't you going to end
5 up doing it when you contract?

6 That is to say the contractor is almost by
7 definition outside the agency.

8 MR. WARSHAW: Well, it varies from agency to
9 agency, but the same point I think Cynthia made,
10 certainly in the programs that I'm familiar with, a
11 government staffer makes the final call. Contractors
12 provide recommendations. Often the contractors are
13 really experienced annuitants and other folks, et
14 cetera, who bring to the table a lot of the staff like,
15 but all they do is provide recommendations, they don't
16 get the final call, in most of the programs I'm familiar
17 with.

18 DR. CAHN: Once an agency gets a document back
19 from a referral, is there a time limit for their action?

20 MR. WARSHAW: Time limit for the receiving
21 agency to process the --

22 DR. CAHN: Yes.

1 MR. WARSHAW: No, there isn't.

2 Again, it's a complicated issue because of the
3 primary -- I mean, agencies have referred documents and
4 they have primary material. How they allocate limited
5 resources between those is a very difficult thing to,
6 really, for a group like this to come up with a standard
7 or guidelines.

8 Obviously April 2000 that's an important date
9 in this whole process. You've got to do it all by April
10 2000. What comes first is another issue.

11 DR. CAHN: Of the documents that have been
12 returned like say to the LBJ Library, I'm sure a fairly
13 large number have been returned, are all of those now
14 totally declassified available to scholars, accessible?

15 MR. WARSHAW: I don't have the exact status.
16 They have been reviewed. The results of the review
17 could be for those that were done pass-fail, some pass,
18 some fail. For those that were redacted, many would be
19 redacted. But they've all been processed for
20 declassification.

21 PROFESSOR LEFFLER: Is it not true, though,
22 that in fact very few documents have been returned to

1 the LBJ library?

2 MR. WARSHAW: That's the number that we have.
3 On the grand scheme, it's very few.

4 PROFESSOR LEFFLER: Pardon me?

5 MR. WARSHAW: Against the 7 million, it's very
6 few, 10,000 on my chart. We just started the program
7 that was the result of the 100,000 that were manually
8 collected. We don't have the automation in place and
9 there is the manual mail sorting function, it's very
10 complicated, very resource intensive and clearly not the
11 way to go. That's why we're going towards automation.

12 BG ARMSTRONG: Is there any sort of guidance
13 that you give to your people as to where the effort goes
14 first?

15 We heard Mel talk about his interest and
16 really this panel's interest in high policy papers.

17 Do you give similar guidance to people when
18 they look at the materials in the presidential library?

19 MR. WARSHAW: It varies from agency to agency
20 and I really can't speak across the board. This was
21 kind of a test, a prototype. There was a lot of NARA
22 and other attention on this. I do believe that he's got

1 reasonable attention. But of course, this took place in
2 an early phase of everyone's program where they're all
3 trying to figure out basically how to do the primary
4 reviews as well as the raft of referral reviews.

5 So the results are not impressive, but that's
6 where we are. Hopefully once we get automated and once
7 all the programs themselves start developing greater
8 capability, we'll get good results. The question is
9 what is more important, primary review or referrals, do
10 we know, I mean it's not --

11 BG ARMSTRONG: What I'm trying to get at is
12 categories of papers, clearly the papers in the library
13 are not all of the same interest to scholars.

14 PROFESSOR LEFFLER: The reason the
15 presidential libraries was taken was that there was the
16 assumption that the vast majority of the cases at
17 presidential libraries, unlike other places in the
18 government, were high level and you wouldn't need to
19 make those same types of distinctions and that,
20 therefore, would be a good place to start experimenting
21 with this under the assumption that if they're in the
22 presidential library, they're pretty high policy.

1 MR. WARSHAW: Yes, supposedly the creme de la
2 creme of the material admittedly.

3 But, there is a technical problem known as the
4 Executive Order, sets goals and milestones, 15 percent a
5 year, 15 percent of what is the initial question. It's
6 somewhat ill-defined. But basically it's interpreted to
7 mean of your own holdings.

8 So for those who keep book on all this, you
9 are not quite getting full credit for doing referrals.
10 This is, frankly, I think a minor problem, but it is a
11 technical problem in the minds of some components.
12 Their material -- for example, library material counts
13 perhaps against a NARA quota, not against your own.

14 I don't think in practice that once components
15 develop capability, arguments like that will hold much
16 water. But that is, at least the way the Executive
17 Order was written, referrals did not get fully accounted
18 for in that regard.

19 The electronic referral standard -- I'm
20 probably taking up too much time. You want me to move
21 on quickly?

22 DR. GOLDBERG: Yes.

1 MR. WARSHAW: Electronic referral standard,
2 basically it deals with index information and the image,
3 because what we're referring is both index type,
4 location information, high level indexing, not
5 necessarily keyword indexing, but that's a possibility,
6 often it's strictly a graphic type indexing and the
7 image itself.

8 There is this joint review I mentioned, not
9 unlike the RAC program for libraries, beginning at NARA
10 for National Security material.

11 Since I overstayed my welcome, we can conclude
12 it.

13 ERWG, I really believe that ERWG has done a
14 lot for its relatively weak organizational beginnings in
15 terms of chartering, et cetera. It's a voluntary
16 organization, in effect. And particularly in
17 information sharing in 25-year automatic
18 declassification beyond referrals, it's the only game in
19 town. And that's the reason in my mind why you need
20 this if you're going to discuss this problem. You go to
21 ERWG or else you're on the phone to 40 different
22 declassification entities, et cetera, and it definitely

1 has been a cooperative spirit.

2 And really pre-ERWG, most of these agencies
3 were unaware of the existence of the other component and
4 certainly of the people. Now there is a cooperative
5 spirit. I think some progress has been made. I'm not
6 going to exaggerate it, but clearly there's a long way
7 to go. Any questions?

8 PROFESSOR WEINBERG: One of the issues that
9 you touched on very briefly is that of identifying the
10 agency and in a government where all kinds of things
11 have changed over the years, I trust you're developing a
12 database so that the people, for example, who are doing
13 the Hoover Library and Roosevelt Library and who run
14 into all kinds of things, each individually have to
15 figure out who is the successor agency of this, that, or
16 the other?

17 MR. WARSHAW: Actually, we did do work on this
18 and we did develop a first cut at a database of
19 predecessor agencies. Needless to say, this is not a
20 simple thing to do. And then you get down to
21 sub-elements you get within large aggregates, it gets
22 all very mushy. But, yes, there was -- I didn't mention

1 it here, but there was a major effort and there is a
2 database of predecessor organizations.

3 How useful it is is not clear at this point,
4 but we are aware of that problem, it is definitely a
5 concern. But you often get the problem at lower level
6 because once you get it into what you think is the right
7 agency, then they know a lot more about the issues and
8 they can find, often, ways to basically say it's not my
9 problem, it's someone else.

10 But, I think the database is a step in the
11 right direction in that area. But there are some very
12 complex agencies and DoD is certainly one of them.

13 PROFESSOR LEFFLER: Why don't you create
14 timetables for the return of materials to your central
15 declassification so that in turn they can be sent back
16 to the library? Why are there no timetables?

17 MR. WARSHAW: Right now, clearly, we need a
18 more detailed schedule. What we are waiting for is --
19 by the way, none of this is for free in terms of the
20 resource requirements to do this are not insubstantial
21 and they basically resulted from agencies making
22 contributions to the effort; these contributions being

1 in staffing of one sort or other, or in money.

2 In order to use that efficiently, I think we
3 need more experience to know whether that's the best way
4 to do -- what are the possibilities for collection. And
5 then the secondary problem of what are the actual review
6 possibilities?

7 That will -- over time, we'll get a better
8 feel for what the flow rates back are. We just don't
9 have the data. We clearly will establish, particularly
10 after the first review there in the November -- excuse
11 me, yes in the November time frame, a collection
12 schedule. That, I think that's more mechanical and we
13 can control that a lot better. Our good friends at the
14 National Archives never cease to remind us of the
15 importance of the return of this material promptly.
16 Once we get a better understanding, hopefully we can
17 come up with some kind of schedules.

18 BG ARMSTRONG: Are you keeping a central
19 record of the documents that have gone through this
20 process and have been redacted and so forth?

21 MR. WARSHAW: Yes, the libraries have a
22 record. The RCC has a record.

1 BG ARMSTRONG: ISOO has, at least
2 theoretically, has been charged with setting up some
3 sort of central record. This is the only cooperative
4 effort that I've heard of that has automation hooked
5 into it. I was just wondering, you are not going to be
6 doing the same work twice in this process?

7 MR. WARSHAW: We will not be doing the same
8 work, others may.

9 The issue of the government wide database,
10 this would only deal with referred material from the
11 libraries that would be captured in this process. Each
12 individual agency, some of them are very heavily
13 automation oriented and have very detailed date bases.
14 Others for resource and other reasons, have no data
15 basing at all and process records basically on a box
16 basis, they know what box they tried. It varies from
17 agency to agency.

18 On draft documents, we have detailed at the
19 document level of information. On referred documents,
20 it varies from agency to agency. My agency will have
21 detailed records. Other agencies, it's up to them
22 whether they want to keep detailed record keeping, it

1 varies. I will -- a general plug is, resources are key
2 to all of this.

3 BG ARMSTRONG: I don't understand your answer,
4 frankly.

5 Do you or do you not have a single list of the
6 documents processed through this system so that you are
7 not going to process the same documents twice?

8 MR. WARSHAW: You're talking about the
9 duplicates problem?

10 BG ARMSTRONG: Every time you -- can you just
11 answer my question?

12 When you process a document that comes out of
13 a presidential library, does that document when it
14 finishes the system go into a list so that if another
15 agency comes up with the same document, at least
16 theoretically, it would know that document has already
17 gone through the system?

18 MR. WARSHAW: If another agency independently
19 has a copy of that document, they could consult with
20 this list.

21 BG ARMSTRONG: Okay.

22 MR. WARSHAW: Whether they will choose to or

1 whatever, I don't know. We frankly haven't worried
2 about that problem yet. All the information of the
3 document -- I mean you can generalize that problem
4 across the board to -- and that problem permeates the
5 whole system, how do we deal with duplicates, 20, 30, 40
6 copies of all these documents out there, will every
7 agency checks with every other agency?

8 One advantage of referral is if you
9 continually send it back to the originating agency,
10 presumably, they're the agency with the greatest onus to
11 maintain a database and to identify that document as a
12 duplicate and, therefore, not process it twice and,
13 therefore, come up with the same answer.

14 We are not maintaining a government wide list
15 except for the documents we process under wrap. We will
16 have that agency's review.

17 PROFESSOR LEFFLER: Have you thought of doing
18 a pilot project in which you take a small group of
19 materials and just let the declassifiers at one of the
20 libraries using their own common sense based on not
21 declassifying things relating to weapons of mass
22 destruction, methods and sources, go through a set of

1 materials, defined set of materials using common sense
2 and see how frequently they make errors and once having
3 observed that, then making some extrapolation about
4 whether it should be permitted?

5 Some day somebody is going to come back and
6 look at the amount of effort and money that's gone into
7 this process and say the whole thing was utterly
8 irrational.

9 MR. WARSHAW: I hark back to, the agencies
10 have to agree under the current system to delegate
11 authority. Many, many agencies will not delegate a
12 broad swath of authority, or no authority. There
13 clearly is guidance out there and there are reviews
14 being done by the libraries. That 7 million number has
15 been cut down by the libraries themselves under what
16 existing guidance they have. They have, for example, I
17 believe State Department guidance in certain areas,
18 they've cut that back. But they do not have, and I
19 can't speak to -- I can't provide -- I have to talk to
20 the individual agencies as to what their feelings on
21 this issue are. But the trust, I guess, harks back to
22 the slide I showed you that they're unwilling to -- and

1 I think their unwillingness stems from perhaps not a
2 formal experiment. There have been cases in the
3 newspapers, et cetera, of problems that have resulted
4 from basically reviewer errors that stem from
5 inexperience or lack of specific equity type of
6 backgrounds.

7 PROFESSOR LEFFLER: But it's obvious that
8 errors will be made but the significant analytic issue
9 is how significant are those errors in light of the
10 expenditures of effort and resources for the whole
11 project, right?

12 MR. WARSHAW: The analytic --

13 DR. GOLDBERG: Any single sample will not give
14 you a basis for an overall judgment.

15 MR. WARSHAW: It is very difficult to quantify
16 that. All you have to do is be involved in some of
17 these errors and you can do a kind of a personal
18 calculus on it and you see it's very significant when an
19 error is made. It tends to blossom out into a larger --
20 as a matter of fact, negatively impacts declassification
21 across the board because it creates more concerns about
22 the process.

1 DR. GOLDBERG: What is obvious is, there is no
2 end of problems and we're embarked on a sea of troubles
3 here.

4 Thank you very much. That was very
5 informative. I learned a great deal from that.

6 We have another briefing coming up and I want
7 to leave enough time for that. We can return to some of
8 these things later on.

9 An area of classification that attracted a
10 great deal of attention, very intense attention, has
11 been the POW/MIA field. We have a briefing on this from
12 people who are involved with the records. Ms. Nasarenko
13 and Dr. Collura of the POW/MIA Office.

14 I think we have enough time for you before
15 lunch. So why don't you start.

16 Ms. Nasarenko.

17 BRIEFING BY

18 JENNIFER NASARENKO

19 MS. NASARENKO: I have prepared a formal
20 script to hopefully answer some of your questions. So
21 if it's okay with you all, I'll get through the script
22 and then we will save time for questions and answers at

1 the end of our presentation.

2 Good morning to everyone and thank you for
3 your cordial invitation and the opportunity to discuss
4 with you declassification of POW/MIA material.

5 The Defense Prisoner of War-Missing Personnel
6 Office or DPMO through legislation, executive orders and
7 presidential decision directives has the charter for
8 declassification of POW/MIA information. The DPMO
9 policy is emphatically pro release in the spirit
10 reflected in the law and directives.

11 We have and continue to go to great lengths to
12 get these materials into the public domain and with the
13 condition that information that is classified be
14 appropriately protected and that the rights afforded by
15 statute are extended to all service members and families
16 of the unaccounted for involved in the POW/MIA issue to
17 the fullest extent of their provisions.

18 Today I would like to talk to you about what
19 the laws and directives tell us to do, what we have
20 declassified and how much you can access the
21 declassified materials.

22 Let's start with Title 50 U.S. Code Section

1 435, what we refer to as the McCain Bill. The initial
2 version of the McCain Bill was signed into law on
3 December 5, 1991. It directed that Vietnam era POW/MIA
4 documents be placed in a library-like facility in the
5 National Capital Region for public access. Although the
6 law does not specifically direct declassification,
7 obviously declassification is implied by the action
8 directive. The law specifies information pertaining to
9 treatment, location and condition be made available to
10 the public. However, also contained in the law is a
11 provision offering the primary next of kin the option to
12 deny release of information concerning their loved one
13 regarding treatment, location, and condition
14 information. For the Vietnam Conflict of the original
15 2,266 unaccounted for, approximately 565 families opted
16 not to allow the release of this information to the
17 public.

18 The McCain Bill designates the Secretary of
19 Defense as official custodian for information pertaining
20 to Vietnam era unaccounted for. DPMO is his executive
21 agent and as such, DPMO chose the Library of Congress as
22 the repository for Vietnam era materials.

1 Since December 1991, the McCain Bill has been
2 amended twice. The first amendment added the Korean
3 Conflict Cold War unaccounted for personnel and assigned
4 the official custodian for Korean and Cold War documents
5 as the Archivist of the United States. Thereby, the
6 repository for these documents became the National
7 Archives ^{and} in records administration.

8 The second amendment established a 90-day
9 provision to locate and gain consent or nonconsent from
10 the primary next of kin of the Korean and Cold War
11 unaccounted for individuals. The second mandate
12 governing declassification of POW/MIA information is
13 Executive Order 12812. This Executive Order directs
14 that all executive branch agencies and departments
15 declassify and publicly release without compromising
16 United States national security all documents, files and
17 other materials regarding unaccounted for personnel of
18 the Vietnam era. The Department of Defense chose to
19 place these items in the Library of Congress along with
20 those required by the McCain Bill. These additional
21 documents contain generic information like policy and
22 non-case specific information that apply to the POW/MIA

1 issue in general.

2 Like the McCain Bill, there is no termination
3 date. The next directive addressing the public release
4 of POW/MIA information was Presidential Decision
5 Directive NSC-8. This directive required all executive
6 agencies and departments to review and release all
7 relevant documents and files pertaining to American
8 POWs, MIAs in Southeast Asia in accordance with
9 Executive Order 12812. This process was to be
10 accomplished by November 11, 1993. Everything that had
11 been identified to us at that time was declassified
12 meeting the November '93 deadline. However, as you are
13 all aware, a thorough review of holdings in compliance
14 with Executive Order 12958 has resulted in the discovery
15 of additional POW/MIA related information.

16 Additionally DPMO continues to work with
17 repositories, libraries, and special collections in
18 search of POW/MIA related information.

19 And finally, the last mandate that governs our
20 declassification effort is Executive Order 12958, with
21 which you are all quite familiar.

22 Pertinent to our interest is the provision to

1 declassify documents 25 years old and older. Clearly
2 this time frame includes the Korean Conflict, the Cold
3 War and the Vietnam War.

4 Of primary concern to DPMO is section 3-4-A of
5 the order which addresses automatic declassification
6 whether or not the records have been reviewed. Much of
7 the POW/MIA information contains sensitive all source
8 intelligence information that must be reviewed prior to
9 release, thus should not be automatically declassified.

10 These laws and executive orders have had a
11 dramatic impact on the public availability of POW/MIA
12 information. Some key things to note regarding DPMO's
13 declassification efforts are:

14 (1) DPMO does not have the authority to
15 declassify non-DoD agencies or departments' equities.
16 We can only request they review their equities for
17 declassification and release.

18 (2) Declassification without redaction is not
19 possible in all cases due to continued impact on
20 national security. Examples are sources and methods,
21 information acquired from foreign governments, statutory
22 protections, information that could cause damage to

1 foreign relations, military plans and operations, and
2 continuing or ongoing programs.

3 (3) Declassification does not automatically
4 equate to release, as evidenced by provisions contained
5 in the McCain Bill, the Privacy Act, the Freedom of
6 Information Act, and the Missing Persons Act.

7 (4) Statutory provisions and restrictions take
8 precedence over executive orders and, in some cases,
9 over other laws.

10 Before I talk about what DPMO has declassified
11 and how to access the information, there is one
12 additional piece of legislation you should be aware of
13 and that is the Missing Persons Act. It was signed into
14 law on February 10, 1996. Although there is no direct
15 impact to current declassification efforts, this
16 legislation will have an impact on declassification
17 efforts for future contingencies.

18 One factor under review at the OSD General
19 Counsel level is the subject of declassification and
20 release of returnee debriefings. Section 1506 of the
21 Missing Persons Act outlines provisions for the
22 protection of future debriefings as privileged

1 information when they are obtained under a promise of
2 confidentiality made for the purpose of ensuring the
3 fullest possible disclosure of information. Therein
4 lies the review over the release of the Korean Conflict
5 and the Vietnam War debriefings.

6 Regardless of the outcome of the review, DPMO
7 will implement the OSD/GC rulings concerning the
8 releasability of the Korean Conflict and the Vietnam War
9 debriefings.

10 Now let me address what DPMO has declassified,
11 how much, and how to access the material.

12 For Vietnam, we have placed a broad variety of
13 materials in the Library of Congress that includes such
14 items as past and current recovery efforts, casualty
15 files, intelligence reports, refugee and source reports
16 or files, depositions, documents recovered from archival
17 research and policy memos.

18 Local access is gained through the microform
19 reading room in the Jefferson Building and remotely
20 through the inter-library loan system. Public access to
21 the repository locally and remotely is facilitated
22 through a computer based index available on the

1 Internet.

2 These materials may be accessioned in two
3 ways. First, microfilm can be sent to the researcher's
4 local library through the inter-library loan system.
5 This service is free, however, materials must be
6 returned to the Library of Congress.

7 Second, photocopies of microfilm documents can
8 be ordered from the Library of Congress Photo
9 Duplication Service. These copies must be paid for, but
10 are then retained by the researcher. The library of
11 Congress's database currently contains approximately
12 131,400 records or documents, which equals over 800,000
13 pages of information on some 463 reels of microfilm.

14 DPMO continues the declassification efforts
15 and materials that we declassified are being processed
16 on a regular basis.

17 We spend approximately \$92,000 annually to
18 fund the indexing, photocopying, data retrieval methods
19 and procedures, and the Vietnam POW/MIA database
20 maintenance. The objective is to make access as user
21 friendly as possible. Since 1992, we have spent \$3.37
22 million on the Library of Congress project. This

1 includes moneys used to test and purchase software and
2 hardware for the public work station in the Jefferson
3 Building.

4 When placing an order for photocopies or
5 microfilm, the requester must provide all relevant
6 information from the database index to include the reel
7 number, the category, the document subtitle, the source
8 number, the casualty reference number. Requests should
9 be sent to the Library of Congress, Photo Duplication
10 Service in Washington, D.C. The cost for services
11 rendered are \$35 per reel for microfilm, or 50 cents per
12 page for photocopies with a \$10 minimum, and these
13 services can be paid for by Mastercard or Visa.

14 I've covered the basic laws and directives
15 that govern our declassification efforts in general,
16 what we have accomplished for the Vietnam War, and how
17 the public may access the information. And now Dr.
18 Angelo Collura will address our Korean conflict archival
19 research efforts

20 BRIEFING BY

21 DR. ANGELO COLLURA

22 DR. COLLURA: Ladies and gentlemen, good

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1 morning.

2 Ms. Nasarenko has already discussed the
3 appropriate legislative directives which deal with
4 declassification of POW and MIA information. I, in
5 turn, would like to briefly address some of the archival
6 research which DPMO has performed over the last couple
7 of years.

8 For approximately two years, the archival
9 research element of the DPMO has concentrated much of
10 its efforts and resources on locating and copying Korean
11 War records in order to build on the limited Korean War
12 information in records which already had existed up
13 until that time.

14 DPMO archival research efforts on the Korean
15 War during this two-year period haven't only been
16 government wide, they have been worldwide. Our
17 personnel and contract researchers, and we've used the
18 Federal Research Division of the Library of Congress, we
19 have had a person in Laos, even as we speak, we have a
20 contractor in Cambodia. These are firsts.

21 DR. GOLDBERG: Is he still alive?

22 DR. COLLURA: Yes, sir, they are.

1 Our personnel searched for and found relevant
2 documents at the National Archives, the Federal Records
3 Repository, several presidential libraries, the Center
4 for Military History, the Military History Institute,
5 the Air War College, public and university libraries
6 throughout the United States, private collections of
7 personal papers, the Military Armistice Commission in
8 Korea and the Australian War Memorial in Canberra,
9 Australia, just to name a few.

10 In fact during the last two years,
11 approximately, DPMO has visited more than 50 libraries,
12 repositories and special collections and has researched
13 over 30 different record groups searching for records
14 that contain or provide leads to POW/MIA accounting
15 information, and I might add here with very small and
16 insignificant human resources that somebody addressed
17 before.

18 These record groups include, and I won't read
19 off the 30 obviously, because most of you I think are
20 aware of what the record groups are.

21 Record Group 38, which is the Office of the
22 Chief of Naval Operations. 153 which is the Judge

1 Advocate General. 341 which is Headquarters U.S. Air
2 Force, et cetera, et cetera.

3 As many of you already know, however,
4 documents on the Korean War generally do not exist as
5 discrete collections within a record group or archives.
6 These documents are intermingled with other documents
7 from the same time period or originating office.

8 For example, the National Archives Record
9 Group 341 of the Air Staff as noted above, currently
10 contains 7,739 cubic feet of documents. Among these are
11 the 2,667 cubic feet of incoming and outgoing staff
12 messages dated from 1947 through 1959 which should
13 contain documents relating to Korean War POW/MIAs.

14 However, a researcher may have to look at all
15 2,667 cubic feet to locate documents of POW/MIA
16 interest. It is important to note here that although
17 our particular DPMO element is devoted to performing
18 archival research in repositories and libraries around
19 the world, DPMO's main function is, of course, to help
20 account for those unaccounted for who did not return
21 home after one of America's most hostile conflicts.

22 With this notion in mind, let me stress that

1 when information relating to an unaccounted for American
2 is found in an archive or repository, that information
3 is forwarded to the military services for notification
4 of the next of kin, primary next of kin.

5 This operating procedure has been in effect
6 for several years and helps involve the various services
7 in caring for their unaccounted for personnel. In
8 addition, documents and papers accumulated by DPMO
9 related to unaccounted for POWs or MIAs from the Korean
10 Conflict are copied and then indexed.

11 Let me insert here, the material from our
12 offices that goes to the National Archives is indexed
13 before it gets there. Those people can take it, do
14 whatever they do with this material and literally put it
15 on the shelf.

16 These indices show date, office of origin and
17 a brief summary of the subject of the individual
18 documents. Then in accordance with the National Defense
19 Authorization Act for Fiscal Year 1995, these documents
20 along with their indices are transferred to the National
21 Archives which serve as a centralized repository for
22 them. They are placed in a special collection in the

1 Textual Reference Branch of the National Archives at
2 NARA.

3 As a slight digression here, I would like to
4 mention that from 4 to 8 August of this year DPMO
5 researchers had the opportunity to work with the
6 Liberation War Museum, Pyongyang, North Korea for the
7 first time. This is the first time that any government
8 researchers have been allowed any significant access to
9 this museum.

10 During this period of time, our researchers
11 were able to physically handle captured parts and pieces
12 of U.S. aircraft, tanks and other vehicles as well as
13 hundreds and hundreds of M-1 rifles and other small
14 caliber arms, some of these with significant
15 identification numbers which our analysts are now
16 examining to see if the information gathered will aid in
17 the identification of any unaccounted for American
18 Soldiers, Sailors, Airmen and Marines from the Korean
19 War era.

20 In addition to the above-mentioned archival
21 work already mentioned, our Archival Research Group,
22 actually, our Special Project Section has been involved

1 in searching for the more than 3,600 debriefings of POWs
2 who returned from the Korean War after Operations Little
3 Switch and Big Switch after the end of the war in 1953.

4 Some 3,200 of these debriefings were located
5 at the Army Central Security Facility at Fort Meade.
6 Another 200 or so Navy and Marine Corps debriefings were
7 found at the National Archives. The Air Force
8 debriefings, however, were not to be found.

9 In our search for the remaining Air Force
10 debriefings, DPMO corresponded with the Secretary of the
11 Air Force and other Air Force and military organizations
12 in our search for these missing debriefings. Only
13 recently after almost two years of searching and after
14 long hours of research by one of DPMO's Air Force
15 officers along with the assistance of a dedicated NARA
16 staff were several significant portions of the Air Force
17 debriefings from the Korean War found, among them, I
18 would add some 1 million pages of intelligence reports.

19 As we began this special project and
20 declassified debriefings some two years ago, we ~~we~~ were
21 hopeful that these debriefings ^{could} ~~will~~ be a particularly
22 valuable source of information in our accounting

1 process.

2 The information already gleaned from these
3 debriefings has been entered into a database for future
4 retrieval DPMO analysts and other analysts. As for
5 DPMO's archival work in the future, we are now examining
6 the feasibility of centralizing all of our archival work
7 within the existing archival research elements of DPMO.
8 This would include archival work carried out in the
9 archives of the former Soviet Union and other
10 independent states as well as all other archival
11 research now being performed in Southeast Asia to
12 include Vietnam, Cambodia, and perhaps we'll even get
13 some of the documents in Laos. Thank you for your
14 attention.

15 MR. ROCHESTER: My name is Stuart Rochester,
16 I'm in the OSD History Office and I have been working
17 for several years on a POW history that soon will be
18 published, we hope, but would have been published
19 probably several years ago if your office had in fact
20 been more cooperative in terms of declassifying
21 information allowing us to use information that we had
22 not considered particularly sensitive or embarrassing to

1 any POWs in our work.

2 My question is whether -- this is the
3 experience we had and other scholars probably who work
4 in this area have had or will have, that is, is there
5 not an overzealous application or interpretation of the
6 McCain Act that, in fact, pays more attention to
7 protecting the family rights than making available the
8 information to the general public and for scholars?

9 MS. NASARENKO: I don't feel like there's been
10 an overzealous application of the McCain Bill by any
11 sense of the imagination. I think that to speak to what
12 was intended by the law is, we have interpreted it to
13 the best ability we could and that interpretation came
14 from years and years of analysis of the information to
15 determine what was treatment, location, and condition
16 and also discussions with the individuals who drafted
17 the bill.

18 I don't know what their reasons or rationale
19 were in putting the provision in to allow the family
20 members to give the yes or the no consent, but that's
21 what Congress did and that's what we have to live with.

22 MR. ROCHESTER: One quick follow up.

1 There does seem to be some area of
2 interpretation of the bill as to what is allowable and
3 what is not allowable. And it may be that your office
4 in the interest of particularly this group today might
5 want to urge a revisiting of the intent and the purpose
6 of the bill.

7 Because in effect, we have given a veto to the
8 families over the declassification, at least the
9 function of the material that is of interest, is
10 relevant to the American public, even in cases where
11 there is nothing again particularly sensitive or
12 embarrassing relating the to POW or the MIA who is
13 involved. So I think you might be able to give us a
14 little bit of -- you might give some impetus to the
15 concerns of this group by perhaps urging a revisiting of
16 the intent of that.

17 MS. NASARENKO: I can certainly take that back
18 to the office.

19 PROFESSOR WEINBERG: It seems to me that
20 that's a separate issue here and that is, it comes up
21 all the time in the years of records of welfare agencies
22 and so on and so forth, and that is the issue of

1 anonymity. There may be patterns of conduct by a
2 foreign government which can be discerned from the
3 records which are currently kept closed, but which in no
4 way involve the use of the name of the people.

5 The moment you get substantial numbers of
6 records pertaining to individuals which are closed in a
7 sense absolutely, the issue of allowing statistical or
8 other types of research which do not involve the use of
9 the names, which give clues to patterns of government
10 policy, patterns of reactions to them by POWs, et
11 cetera, but which in no way invade the personal privacy
12 of the people whose records are being looked at, this is
13 something with which archivists around the world and
14 historians who use records are relatively familiar.

15 And the real question it seems to me is
16 whether or not the closure by the family is, in fact, an
17 absolute closure on all use of the records or a closure,
18 if you will, on the identification of the person whose
19 records are being looked at. And if that's unclear, it
20 is at least possible, it seems to me, that the kind of
21 anonymization very often used with analogous records in
22 other categories might be allowed if necessary by

1 legislative amendment. And that, I suspect, is going to
2 take care of the sorts of issues that have just been
3 raised.

4 MR. SHELDON GOLDBERG: Jennifer we've had this
5 conversation several times over the last couple of years
6 the same thing Mr. Rochester was saying.

7 It's tough when you've got certain family
8 members at random saying no and others saying yes so
9 that you're trying to deal with a list of a 13-man B-29
10 crew and you find that half have said no and you can't
11 even use this -- give out the information list, the full
12 list of members. It gets really awkward and it needs
13 some fine tuning there.

14 Nobody wants to release gruesome pictures of
15 POWs or describe their conditions. But basic
16 information of who's on a crew, where the thing was shot
17 down, et cetera, it's kind of basic stuff that's needed
18 and that's kind of being blocked in some of the reports
19 today.

20 In some cases, you are dealing with
21 information that's been declassified and released years
22 ago, yet there's no real way to call it back. So I'm

1 glad to hear you finally found those debriefs. I guess
2 it's in those millions of papers of stuff that's
3 unindexed and catalogued in the Archives.

4 DR. GOLDBERG: Any comments?

5 MR. HALL: Good morning, my name is Roger
6 Hall. I'd like to refer to the issue of the documents
7 released by the ^{DPMO}~~PCMO~~. There's a lot of documents at the
8 Library of Congress but that is not all the documents
9 that come into your possession.

10 Documentation from the daily summaries, the
11 after action reports or elaborate secret missions during
12 the war and the records from Secretary of Defense
13 Laird's breakfast meetings which contained all the POW
14 information that he reviewed, he reviewed them on a
15 daily basis at the breakfast meetings, came through
16 DPMO; yet, the FOIA process that goes through OASD and
17 to DPMO never reflects that you had this information in
18 your hands and never releases any of this information.

19 When we go back to the originating agency of
20 the JCS for the daily summaries, or the Secretary of
21 Defense and OASD for Secretary Laird's meetings, they
22 claim they don't have those records.

1 Now DPMO has been very helpful in identifying
2 the existence of it. But as the declassification
3 authority, the records are still disappeared to us,
4 they're transparent, we can't see them. We know they
5 exist. DPMO says they do exist, very helpful as I said.
6 JCS says daily summaries they don't have them, three
7 people in your organization say they sent them back
8 there.

9 The Laird meetings, where they are, how can you
10 miss the Secretary of Defense meetings? All the POW
11 information, you have them, it has to be released.
12 Again addressing the declassification authority, I sent
13 a FOIA to Maxwell Air Force Base identifying specific
14 documents that I wanted declassified that I know
15 contains POW information, when I address it to you, you
16 would tell me to go to the originating agency. Maxwell
17 says you have the declassification authority, I have to
18 go to you. So I'm not going to get bounced around this
19 way, I'm going to take you to court quickly.

20 But I want to present it to you and I'll do it
21 in a letter before I would take that step because I
22 don't have the money that I could do other things with

1 it.

2 But I really need some cooperation from DPMO.
3 I represent 14 people in a national alliance of families
4 and they are really frustrated with the delays on this
5 very relevant POW information. If it's left to 12958,
6 I'm afraid that it may fall into a category. Somebody
7 will shift it there, it'll take me years to find out
8 that it's in a category, that it's been exempted. I
9 have to be able to address an issue.

10 You have more direct access to it and these
11 are only three examples. I have a dozen and more others
12 identifying specific files or records that contain it.
13 I'm talking about organizational records containing
14 information that has not wound its way to the Library of
15 Congress.

16 In addition to that, you have two microfilm
17 series over at the Library of Congress. One is that
18 material has to be released under the central
19 declassification order under President Clinton's
20 Executive Order for the deadline, that material is not
21 indexed and it's not on the computer system. It was
22 indexed by Mr. McNew^(eh) over there who did a good

1 generalized index, not an itemized index, and it's
2 available in paper form.

3 So if I was to contact the Library of Congress
4 on their computer system for an indexing of all
5 material, this material would not be reflected because
6 it doesn't give an documented index of it. So there are
7 two discrete serious of microfilm collections and most
8 of the people don't know about the CDO collection.

9 I would really like some help in identifying
10 the other records that haven't been sent over there that
11 do exist because if you know about them and you don't
12 release them, I can't address them if they're hidden
13 just in the volume of your every day work, and I realize
14 you people do have a lot to do.

15 DR. GOLDBERG: Thank you.

16 MS. NASARENKO: There's one portion at least
17 that I would like to address and that's your comment
18 about the Historical Research Agency at Maxwell.

19 Air Force does and has in the past
20 declassified POW/MIA information. We have provided them
21 guidelines. We have also provided it to Navy. We have
22 provided it to NARA. So there are other agencies that

1 do declassify POW/MIA records and they do apply the
2 appropriate statutory provisions such as the McCain
3 Bill.

4 MR. HALL: It's been my experience that if I
5 request it, I'm required to go to the originating
6 agency. So I do my search, I go there, I find what I
7 want, I identify it, I address it, put it in a FOIA.

8 Most components will say POW information, it
9 goes to DPMO. So the material is sent to you, you get
10 first shot at it, you classify it, I get what's left.
11 But that is the way it seems to be done.

12 The Air Force can't dismiss me and send me to
13 you to give me a runaround, that's not the channel. The
14 executive orders don't release any of the agencies or
15 the departments from their responsibility under the
16 FOIA. You have a declassification authority, you can't
17 deny me access to these records. I'm not saying you,
18 I'm talking about Air Force. This guy down there really
19 doesn't know what he's doing and I'm not saying this in
20 anything except a self-myopic way, I want that material,
21 I have a right to it, and he can't refer me to you, it's
22 a short circuiting of the channels. Please instruct the

1 components that deal with you on the correct process.
2 If I request it, yes it does go to you, that's fine, I
3 have no objection to that. I believe you should have
4 first shot at it, no objection at all. But I have a
5 right to it and I don't get the runaround.

6 MS. NASARENKO: Well, I'm not at all familiar
7 with the specific case you're addressing.

8 MR. HALL: I will send you a copy of my --

9 MS. NASARENKO: The Air Force is represented
10 here and I can promise you that between them and us
11 there will be some communications with the HRA. But I'm
12 not familiar with that and that's the best answer I can
13 give you.

14 The second part of that is they do have the
15 authority to declassify it. We do not require that they
16 send it directly to us. We don't have the resources to
17 do it all ourselves, which is the reason we delegate
18 that authority and provide guidelines to individuals.
19 And the Air Force has a great set of guidelines in their
20 tool book and they do it.

21 MR. HALL: They're working hard, I'm sure.

22 MS. NASARENKO: They do it every day, they do

1 a good job of it.

2 DR. GOLDBERG: Please take note that this is
3 an instance of delegation of authority, declassifying.

4 DR. COLLURA: I'll add something to that.
5 When you mentioned the people out there and what appears
6 to be the passing of the bucket for lack of a better
7 term, we run into that too and maybe passing the bucket
8 isn't the right word, but I can't find an analogy for
9 it.

10 Let me give you an example, last year about a
11 year and half ago, we were told by some of the family
12 members that material, classified material dealing with
13 POW debriefings and material having to do with the 6,000
14 Second, Fourth, Sixth and Eighth Air Intelligence Wings,
15 I guess at that point, they were Air Force companies,
16 were available at Kelly Air Force Base in San Antonio.

17 They were there and they had a whole slew of
18 material which had to do with POWs coming back. So we
19 got a number and called and said you have the tickets,
20 you can get in, we can't and that's right. So we went
21 down there, three of us, myself included. First of all,
22 the material was not there. Secondarily, that

1 particular organization is heavy handed by one of the
2 funding organizations. And so the first time we went
3 down, it took us a year to get some material which
4 turned out to be not a great deal. The second time we
5 went down, which I was a part, we found out only that
6 they did not have the material, but they told us that
7 perhaps the material was still out in Japan, because
8 that's where the material was located during the Korean
9 War.

10 Well, we called them. We couldn't find them
11 there. Then the next comment was, perhaps it's at PACAV
12 which is CINPAC in Navy terminology. We called them and
13 we sent two people out that way as they were coming back
14 from Korea. That archivist never heard of the material.
15 This is almost nine months now. We are now going back
16 next week to get back to PACAV or CINPAC if you will,
17 because the second historian that we got in contact with
18 indeed said there's material there signed on letterhead,
19 signed as an archivist for that historian of the Office
20 of the Air Force Historian. So we're going to go out
21 and see what it is.

22 So my point to you, sir, is we run into the

1 same type thing whereby you know either because of your
2 agent experience or because of archival work, that stuff
3 has to be there. It had to have gone somewhere. They
4 couldn't have destroyed it. There has to be a
5 transferral slip of some type. Yet the frustrating
6 thing for us as well as for you is there's blanks, we
7 can't find it. This will have been, assuming we find
8 something at CINPAC or at PACAV this will have been
9 almost two years we're looking for that material. So,
10 researcher sources lead you, in this case they didn't
11 quite do it, at least not yet.

12 DR. GOLDBERG: We have time for only one or
13 two more.

14 MS. DEAN: Thank you, my name is Nancy Lovell
15 Dean. I'm a member of the Korean/Cold War Family
16 Association of the Missing. I'm also the daughter of an
17 MIA colonel from the Korean War. I would like to --

18 DR. GOLDBERG: Is that John Lovell?

19 MS. DEAN: Yes.

20 DR. GOLDBERG: I knew him.

21 MS. DEAN: I would like to talk to you later
22 then.

1 I'm addressing a concern brought up about
2 consent form and the point of historians who say that
3 they would like information about the families. One
4 point of view from Korean War Families Cold War Families
5 is that the consent form is not clear.

6 For two years I've asked for clarification
7 through the Casualty Office in DPMO. I've had to hire
8 an attorney to try to get some words in writing for
9 this. The point that the families have is they would
10 like to review the material about their loved one. I
11 think they're entitled to that information to decide
12 whether it should go to the public or not.

13 Many families feel let's, you know, after
14 they've looked at it fine, let it go. But there are
15 instances now of material coming from Russia, for
16 instance, I've been dealing with archivists in which we
17 would have no objection if a document came from a
18 foreign country and chronologically it was presented so
19 that let the historian make the judgment of what
20 occurred in that time. Our problem is there are some
21 analysts who get in there and they make interpretations
22 and some of these interpretations are erroneous.

1 Now for the families to try and correct this
2 misinterpretation when the information is on the
3 Internet and available to the world, this makes it
4 difficult. A lot of us feel if you're going to write a
5 book or you are going to present the facts, do it as
6 accurately as you possibly can.

7 If for instance the information is coming from
8 Pyongyang or China or wherever, please preface this by
9 saying this source came from wherever on such and such a
10 date. And then let the historian make the judgment.
11 And I think then the families would not be so upset.
12 This is one opinion and I think you should consider it.

13 I could take your time the whole afternoon
14 with various points that you have pinged off on. If you
15 think you historians are frustrated, you can imagine how
16 the families are. My father's file has been classified
17 secret. Many of us have been trying for years to get
18 information. Clearly, politically the Vietnam War will
19 remain the most important and receive the most focus.
20 But I would like to remind you that four times the
21 number of those who are still MIA are from Korea and we
22 have an opportunity now to resolve some of these cases

1 of 8,100 who did not come home. I'll let Donna speak on
2 some of the other points.

3 MS. KNOX: My name is Donna Knox. I also am
4 the daughter of a Korean War POW/MIA. I sit on the
5 board of the same organization that Nancy referenced,
6 the Koran/Cold War Family Association of the Missing and
7 I also serve as legal counsel to that group.

8 The issue of the POW/MIAs affects the
9 families, perhaps we would certainly say, first and
10 foremost in the most profound way. But it does also
11 impact veterans and academics and the media. A great
12 number of people in this country are interested in this
13 issue.

14 My understanding of the function of this panel
15 is to prioritize amongst the vast numbers of documents
16 that need to be reviewed for declassification, to see
17 what the need is and what the problems are.

18 This issue is not a matter of curiosity. It
19 is a matter in the extreme in which the families feel
20 that all of these situations need to be examined before
21 we can write that off. It is a matter of potential life
22 and death for some of our missing men.

1 We have had a mountain of evidence. None has
2 been corroborated by a live one being brought out so,
3 therefore, we don't know for sure. But there is
4 considerable evidence that men were held back alive
5 after this war. I was in the Archives all day yesterday
6 reading our own government asserting this very
7 proposition for several years after the war was over and
8 then the rhetoric paved the way and all these decades
9 later our government is primarily talking in terms of
10 remains recovery and does not want to incorporate the
11 POW/MIA issue into it's foreign policy. The politics
12 and the economics of that are far reaching and are
13 difficult.

14 The problems that the historians are
15 mentioning in terms of frustration by the consent issue
16 I would just say without going into it in terms of
17 statutory analysis, there are exceptions provided, the
18 90-day exception. There are exceptions for the next of
19 kin. We are being frustrated by the same consent
20 provisions. They are being overzealously applied and
21 need to be looked at in terms of the different agencies'
22 interpretation. But my understanding of this panel's

1 purpose is to decide what records it should recommend to
2 the administrative branch, namely the President that
3 should be emphasized in this review and declassification
4 process.

5 And so I would like to point out that in
6 addition to Executive Orders, the general 12958, there
7 is not only the specific Executive Order directed at
8 Vietnam documents; but, there is also an Executive Order
9 that has been issued with regard to Cold War and World
10 War II documents.

11 But nothing, we cannot get an Executive Order
12 with regard to the Korean War documents. We, and I
13 personally, have tried going to the National Security
14 Council, the State Department, DoD, President Clinton
15 through my own senator. We have tried repeatedly to get
16 some specific mandates on this issue and we have gotten
17 nowhere.

18 Most recently Senator Robb approached
19 President Clinton and he was referred to DoD, to DPMO
20 and the response he got from DPMO is that the authority
21 exists to declassify these documents. But what the
22 families and other researchers are finding repeatedly is

1 that our requests are denied. They are denied under the
2 numerous exemptions under FOIA and under 12958.

3 Ms. Nasarenko enumerated a number of them.
4 We've got privacy, we've got source and method, we've
5 got foreign policy, we've got half a dozen or so other
6 reasons to legitimately, as the law reads now on the
7 books, deny disclosure of certain information. And it
8 is an onerous task to locate these documents. They're
9 not in discrete collections. And DPMO despite all of
10 its efforts is not the only office or agency that has
11 these documents, as they pointed out. They've got
12 limited resources and they have a diverse mission that
13 is ever increasing.

14 So the other agencies, the CIA, and all the
15 different repositories and holding agencies need to be
16 encouraged by administrative mandate to follow what
17 really already exists on the books in terms of statutory
18 mandates and that is to go through the collections to
19 identify these particular documents and information,
20 turn them over to DoD and go ahead and get the review
21 process going.

22 The families have waited, in the instance of

1 the Korean War, 44 years since the end of the war for
2 information. One, by one, by one, these documents are
3 surfacing when we have the time and the resources,
4 happen to discover one and are willing to fight the
5 appeals process all the way up. It can take years and
6 it has taken years.

7 I found a document related to my father. I
8 had I senator put in a request in February to the CIA
9 and we're still getting nothing but a runaround and this
10 is a common problem. We feel that if this panel would
11 make a specialized emphasis about the need for review of
12 the collection and a broader attitude toward
13 declassification, that it would help the situation.

14 There is just this inclination to write it off
15 as a national security problem and then they don't have
16 to go look through the millions of documents 44 years
17 later considering the balancing process that should be
18 looked at here with these men missing and allegations
19 and testimonial and documentary evidence that men were
20 held back alive. The priority should be let's get to
21 this information. Yes, if a legitimate source and
22 method is at risk somehow 44 years later or there is

1 some overreaching and legitimate foreign policy, not
2 just at the pleasure of promoting a certain economic
3 agenda, but a real overriding foreign policy concern,
4 okay, legitimate reasons to continue to withhold.

5 But this information is by and large not going
6 to or it should not fall into these average
7 classifications. A document, an Air Force document just
8 came out this summer that showed 137 men whose
9 situations ranged from some 19 of them were at Kaesong
10 ready to be repatriated. The war was over. They were
11 being processed for repatriation and those men didn't
12 make it back.

13 There are still others who were seen alive on
14 the ground by their wing men and they didn't make it
15 back, so on and so forth. This document was classified.
16 Their families weren't told and it only just recently
17 came out. And there's all sorts of this information in
18 there that could help us bring to light the status of
19 the evidence that are our government has to help our
20 government, our President, incorporate the realities of
21 the situation into this foreign policy and hopefully to
22 bring about an accounting. Thank you.

1 DR. GOLDBERG: Are you going to make a brief
2 reply to that?

3 DR. COLLURA: I think I understand what
4 counsel is getting to.

5 MR. CLARKE: I was just reading a book the
6 other day, last week, and this book is about a Korean
7 War POW and in the back of it were a number of
8 debriefing reports and they're wrong, I read them. They
9 dealt with who was -- I don't know what the word for it
10 is -- loyal and who was cooperative and who was
11 uncooperative and what you might call brainwashing them,
12 and on and on. I read a couple of them. They didn't
13 seem to be classified. If they've looked at the
14 material that the Center for Military History has, there
15 are a number of studies that were written in the 1950s
16 based on these reports and some of these reports are in
17 there, and I've used them. And they were classified at
18 one time, but they've been downgraded and declassified
19 by someone. There seems to be a little bit of confusion
20 over what is classified, really classified and what's
21 not. What the gentleman said almost seems to suggest
22 that someone go back and classify some of these that may

1 not be classified, or your point they may have been
2 downgraded to declassified by one group of people and
3 not downgraded and declassified by someone else.

4 MR. HALL: May I make one brief comment?

5 DR. GOLDBERG: Very brief, please, we're ready
6 to stop now.

7 MR. HALL: The CIA and possibly other
8 intelligence agencies have POW/MIA information stemming
9 from World War II if they've been custodian of those
10 records through the Vietnam War, much of which had not
11 even been turned over to DPMO, the very agency
12 responsible for accounting to those people.

13 DPMO has made inroads with the CIA, but that
14 and other intelligence agencies have been restricted
15 from the very responsible branch of government that is
16 supposed to have access to it.

17 There has to be other channels of
18 communication and 12958 imposed on the Central
19 Intelligence Agency and possibly other intelligence
20 agencies for the release and identification of this
21 information. It's good to have exception material
22 hidden, but there has to be the allowance for when it

1 comes to human life, that material being released, even
2 if it's 25 years old. There is the very strong
3 possibility that these people have existed and survived
4 and there is an urgency to this executive order that the
5 President issued PDD-8 even though the deadline was
6 November 1993, is still in effect. That urgency is
7 still outstanding. DPMO treats it as if the deadline
8 has passed, so there's no more rush. That deadline is
9 outstanding and all of that documentation that has not
10 yet been declassified is required to be declassified
11 immediately and not sooner or later.

12 DR. GOLDBERG: We're going to take a break now
13 for lunch. There may be an opportunity to take this up
14 again during the course of the afternoon.

15 MS. KLOSS: If I could, panel members, I would
16 ask that you make your way up to Room 18-W. Gail Stark,
17 at the end of the table, if you would escort the panel
18 members upstairs.

19 Many of the panel members received a
20 memorandum, a letter regarding Defense Technical
21 Information Center.

22 Mr. Appler, do you have time to join the panel

1 for lunch to respond to any of their inquiries, because
2 we're working through lunch, sorry.

3 The remainder of the observers, you are
4 welcome to return, if I could have you back at 12:45, a
5 45-minute lunch.

6 (Whereupon, 12:00 noon, the meeting was
7 recessed for lunch, to reconvene at 12:45 p.m., this
8 same day.)

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1 AFTERNOON SESSION

2 DR. GOLDBERG: Let's begin. Please be seated.

3 We set aside most of this afternoon for
4 briefings by the military departments on, I'd better not
5 say progress, on the status of their programs in
6 declassification and the first briefing will be by the
7 Army.

8 BRIEFING BY

9 JACK MATTHEWS

10 MR. MATTHEWS: My name is Jack Matthews. I am
11 the Director of the Army Declassification Activity,
12 newly created declassification activity that came into
13 being last summer to fulfill the requirements of the
14 Executive Order.

15 What I have here is an outline and a
16 presentation that I'd like to present to you which sets
17 forth exactly where the Army program is now and the
18 procedures that we are utilizing for that.

19 I took the -- put this out for everybody, it's
20 an outline of the presentation. It makes it very easy
21 if you want to follow along with this as to exactly what
22 we are doing.

1 The mission, I think everybody knows what the
2 mission is and what we're setting out to accomplish.
3 The Army has succeeded in the leadership. We've gotten
4 recognition of the leadership. There is a very strong
5 awareness of the program in the Army. There is support
6 for the program in the Army and more importantly there
7 is an inflowing of funds which support the maintenance
8 of the program in the Army.

9 So far this year we have received roughly
10 \$18.5 million toward the fulfillment of the program and
11 we are on the budget cycle, hopefully, to receive more
12 money in the future to make it come true.

13 The Army's program, as probably any program in
14 the federal government, is to identify what is an
15 acceptable risk management -- or manage that risk and
16 then proceed with fulfilling the requirements of the
17 Executive Order. In pursuit of this, the Army has, and
18 I have taken the opportunity of reading the past minutes
19 of this committee and the recommendations that they had
20 made with respect to the records that should be
21 identified for early release, to the maximum extent
22 possible, we have placed an emphasis on the policy

1 records which deal with the Army staff and the Army
2 Secretariat and they have been targeted as our number
3 one priority as the ones to review.

4 In support of this, we have gone from a very
5 small organization to, we have a core support group now
6 of roughly 35 people. A lot of those were transferred
7 over from the Gulf War declassification project, so they
8 are not novice people. They are very knowledge,
9 probably too knowledgeable, in the record techniques of
10 what we are using.

11 Half of that group has been integrated into my
12 group effective this month. And at the same time, we
13 have also gone out and we have contracted for a
14 contractor-owned contractor-operated turnkey Proof of
15 Principle test, the POP test as we are calling it, to
16 establish certain objectives, which is the second thing
17 that we have here.

18 The objective of this Proof of Principle test
19 is designed to achieve, which it started -- we started
20 the training this week. We will be opening up our new
21 facility next Monday. We have the floor plans of the
22 final facility that we have that I put up there. It is

1 a three-story 35,000 square foot facility that we rented
2 in Ballston that is being modified for our specific
3 requirements there.

4 The objectives of this Proof of Principle test
5 are to validate the digital declassification guide that
6 the Army has developed. At the time that we started
7 this last year, we had 400 separate and distinct
8 declassification guides. And again as you all know, the
9 emphasis on the records management before was how to
10 declassify something as opposed to the manner in which
11 you were going to declassify that.

12 What we did is, we went through and we took
13 the over 400 individual guides, regulations, everything
14 that we had, and we had those digitized into one single
15 program. And those have all be compressed on to five
16 CDROMs or six CDROMs right now, which has the entire
17 Army classification program.

18 Now you start with the classification program
19 and it contains declassification information on how to
20 work with those programs, how to bring them down, how to
21 release the documents.

22 I think the requirement is that you establish

1 a declassification guide. We have a classification
2 guide with declassification instructions and I really
3 think it is a distinction without a difference. If you
4 start with something, you can work with it and come
5 down.

6 Now this guide is one of the things that is
7 going to be tested. It was delivered in July. It is
8 being used now for our training program. And the way we
9 envision testing this is that we are having installed
10 SIPRNETs which from what I understand is the classified
11 E-mail system, and as we go along in our Proof of
12 Principle test that is going to be handled over in
13 Ballston in our facility. We will use this guide to
14 identify the documents that we have.

15 If there is something in our guide which does
16 not mate up with our declassification or our
17 classification guide, we will then use the SIPRNET
18 system that we have there. Say there's something from
19 Redstone Arsenal, we have a question about a missile or
20 something like that, we will then go on-line and we will
21 ask Redstone Arsenal what about X, Y, Z missile, we're
22 missing clarification for what happens after 1985.

1 We will have a short suspense with our subject
2 matter experts where they will come back to us and they
3 will say, oh, forgot to tell you in 1991, this was
4 declassified or everything has gone back and those
5 messages that will be coming back in with the SIPRNET
6 will then be filed in the books to be used by our
7 declassifiers. And periodically the contractor who did
8 the declassification guide will come through and part of
9 the contract we have now is, there is a periodic update
10 using the SIPRNET messages that are coming back in so
11 you don't need coordination, you don't need additional
12 material on that, that will be cranked into the
13 declassification guide that we have. So there is a
14 continuous and automatic update of the guide that we
15 have, hopefully, at least on a monthly basis. So it
16 will be current. And at the end of the period next May,
17 it hopefully should address most of the problems that we
18 have.

19 As part of this, we are also going into a
20 training program and the training program has been
21 delivered this month. We have the training program to
22 train those individuals utilizing the declassification

1 guide. And this, again, is on ten CDROMs where you can
2 go through, it's transportable. We're using it to train
3 the people that are coming on board now and it's
4 something that you can go out in the field and you can
5 address records repositories that are in the field if
6 the people are not there.

7 If we have to, we can go out to the field. We
8 can supply an instructor to oversee the training that is
9 contained on the ROM and we can monitor that way. Or if
10 for some reason we are not going to go to the field, we
11 can bring the records into our declassification
12 facility.

13 We're going to validate the document
14 declassification process. We have set this up stage by
15 stage, by stage, again based on the principle of
16 identifying what is acceptable risk and manage it. The
17 decision that has been made on the Army program is all
18 risk decisions will be made by Army personnel that the
19 contractor personnel will not be making the risk
20 decisions. They will be responsible for all processing,
21 everything up to that decision as to whether it should
22 be declassified or not. But the actual declassification

1 decision will be made by Army personnel.

2 DR. GOLDBERG: That means a double review,
3 does ^{it} it?

4 MR. MATTHEWS: No, it does not.

5 DR. GOLDBERG: What does it mean?

6 MR. MATTHEWS: It means that the contractor
7 will process it, and I'm getting into this. We will
8 address that.

9 The contractor, as it goes through the various
10 stages, will make the recommendations. And then the
11 declassifier, the Army declassifier, based upon what is
12 contained in the recommendation, what is contained on
13 the database, the various 34 dictionary elements that
14 are coming in, that individual does not have to review
15 it all over. He will look at the recommendation. The
16 documents contained in the file will be one of seven
17 color coded ideas coming through and all he has to do is
18 go to those color coded files and say yes or no without
19 having to look at the rest of the file. It eliminates
20 the necessity of two or three people looking at it. It
21 speeds it up and it gets the record done. I will
22 address this as we go along.

1 BG ARMSTRONG: But he basically is going to
2 act on the recommendation of the contractor?

3 MR. MATTHEWS: That's right.

4 BG ARMSTRONG: So while the contractor doesn't
5 make the decision, he in fact in his recommendation
6 prefigures the decision?

7 MR. MATTHEWS: That's right. The contractor
8 will make the recommendation. The decision will be made
9 by the Army and then the quality control will be assured
10 that the sampling, to ensure that the risk management
11 was properly incurred, it also goes back to the point
12 that I was telling you earlier, contractor-owned,
13 contractor-operated turnkey project. We do not have the
14 people in the Army, the ratio of contractor personnel to
15 Army personnel is six to eight to one. So they are
16 doing everything that we can to get the thing speeded
17 up, the administrative work and; yet, the decision
18 itself is made by the Army, which is what the Secretary
19 of the Army decided should be appropriate.

20 BG ARMSTRONG: Could I ask a question that's
21 not about declassification, but is about the record?

22 As I understand it, you are digitizing all of

1 these?

2 MR. MATTHEWS: No, we are not.

3 BG ARMSTRONG: You're not?

4 MR. MATTHEWS: No.

5 BG ARMSTRONG: So you're not going to end up
6 with any sort of computer imaging?

7 MR. MATTHEWS: If you let me go on here,
8 that's the bottom point here, okay.

9 We are going to validate the declassification
10 process. For definition purposes on the POP that we
11 had, we had to set forth a minimum number of documents
12 that had to be reviewed. We picked a minimum number of
13 5 million pages. Again, these are the ones from the
14 Army staff and the Army Secretariat that are at the
15 Washington National Records Center, the high visibility,
16 the policy records that everybody wants to get.

17 We expect that to be greatly exceeded, but
18 that was the contract, it's for a period of time, not
19 actually a number of documents, but due to legal things,
20 that's what we had to put in there.

21 We are going to refine the production and the
22 cost data. I think all of you are familiar at one time

1 or another when we have gone through, when we first
2 started out a couple of years ago whatever it is, how
3 much is this going to cost and they were all over the
4 place, all the cost estimates per page. That's what
5 people are looking at, per page, what are you doing?

6 The most common cost estimate that I've heard
7 in analyzing the Army presentation is a dollar a page.
8 This is what we were talking about 15 months ago.

9 I think we are all realistically -- we
10 proceeded away from that and we think a dollar a page is
11 excessive.

12 What is a proper cost per page? We don't
13 know. But hopefully at the end of this experiment and
14 the Proof of Principle test that we're going on, we will
15 have a better understanding as to what the cost analysis
16 will be to enable us to plan further as to how we are
17 going to attack the rest of the records that are out
18 there.

19 The other thing is to develop the database to
20 capture, review results. We are not imaging the records
21 at all. What we are doing, we have an index database
22 which is unclassified which will capture the document

1 that is involved. But we will not have an image of the
2 document. And that index database that we have can have
3 as high as 34 entries with respect to the document so
4 that we can identify it for whatever purposes and
5 whatever categories that we need, but we will not have
6 the document itself.

7 BG ARMSTRONG: Will you have the location of
8 the document?

9 MR. MATTHEWS: Yes, we will have the location
10 box, the page, everything; but, we just will not have
11 that document itself.

12 It may well be that as we get into this Proof
13 of Principle, that certain documents should be imaged.
14 We will have the capability to image the documents based
15 upon our receipt of the Gulf War assets and their high
16 tech imaging over there. But at the present time right
17 now, we're developing the procedures, a cost analysis,
18 an evaluation of what we're doing, and a certification
19 that we're in the right way. I mean, this is all
20 subject to change as you get in there. And as we
21 approach closer to the 15th of May, I'm sure that the
22 changes will be made in that as the end of the test

1 comes back up.

2 When you look at the Army record location, we
3 went out and we let a contract to define where our
4 records are and how many were there so we knew what we
5 were dealing with. There are the records that we have
6 as a result of that contract. Our individual efforts
7 are at the Washington National Records Center addressing
8 the most recent and at the highest level from the Army
9 Secretariat and from the Army staff.

10 The other Army commands, the big Army
11 commands, the two big ones are INSCOM and AMC which are
12 in this area which could avail themselves of the
13 facility that we are setting up. But we are starting
14 out at the Washington National Records Center.

15 And if you go over to the time line on the
16 next page there, you can see where the contract was
17 awarded. This Monday, production began at a temporary
18 facility that we have over in Rosslyn. 15th of October
19 is the estimate, actually, the estimate I received now,
20 we got some advance action on some of our building
21 permits and rezoning permits that we have over at
22 Ballston, and we are now estimating now it's going to be

1 the 7th of October. The 1st of April we'll have a
2 decision on the program future that we have and the 15th
3 of May is when the Proof of Principle test is completed.
4 At that time, our primary goal will be to extend that
5 for at least another year so that we can totally process
6 all of the records that are contained at the Washington
7 National Records Center.

8 Now, I guess the next question is, how many
9 documents have you be^{er} handling, what's your numbers and
10 what's your declassification rate?

11 My first declassifiers that I got pursuant to
12 this came on board the end of July and the first part of
13 August. Since that time, we have declassified, not
14 using bulk declassification, I want to emphasize that,
15 we are looking at bulk declassification. Bulk
16 declassification has all kinds of magnificent
17 opportunities for you to get all this money, but we
18 still want to make sure that what we are doing is right
19 before we start touching boxes without looking on the
20 inside of them or looking at one page going through.
21 Since the 1st of August, we have processed -- my
22 declassifiers have processed 3.2 million records. Of

1 that 3.2 million records, 98.5 percent have been
2 declassified.

3 We also, with the strong assistance of NARA
4 and Jeanne, is Jeanne here? No.

5 We now have an administrative team in place at
6 NARA assisting NARA and reviewing their records, and
7 especially the ones that they have referred back to us.
8 And the number of documents that have been declassified
9 at NARA is 65 million pages to date, of which 7 million
10 are undergoing further review by our people that are out
11 there right now. Of that amount, 90 percent have been
12 declassified. So we are running a very, very high
13 percent rate declassification.

14 Our referral system -- what we are following
15 is to tab and notify with the notice generated by the
16 automated system which is in our Proof of Principle.
17 When that comes through and the database picks that up,
18 it will pop out the notice to the other agencies as to
19 their documents, location, page number, whatever have
20 you. I think this is in keeping with what DoD has
21 agreed to undertake.

22 Again, we have a special agreement in effect

1 that has been formalized and reduced to writing with the
2 CIA. The CIA has asked us to -- they're going to put
3 the documents aside for us over there and we will visit
4 with the CIA and their documents over there rather than
5 transfer them back and forth. We are amenable to that.
6 There is not problem.

7 We have participated in all the panels. We
8 have participated in the DNC panels, the group round
9 tables, everything where there's Army equities that are
10 there, we have participated to the fullest.

11 So that basically is where we are. What I
12 have here, I put some pictures. Here's our facility,
13 all three floors of it. It's going to be a flow
14 through. We have our own dock. We have our own skip. ^{SCIF}
15 We have security guards. We have everything that you
16 are supposed to have when you are processing matters of
17 this type.

18 What we have decided that this right here,
19 (indicating) every box that comes in to that facility
20 will have its own cart. And it will not be removed from
21 that cart; therefore, documents cannot get lost, boxes
22 cannot get put aside, whatever it is, there is a

1 tracking station that it has to go through with these
2 boxes here. And what you have on the outside at every
3 entry station as you are going through, there will be
4 part of this database, the index database, that as they
5 do something, they will make that input into the
6 computer system that is there.

7 At the same time, there will be a manual check
8 and an envelope that is on the front of the box. And at
9 the end, you are going to have an exit check and the
10 computer check has got to check with the manual check,
11 so there's no documents lost. And the last thing they
12 do is remove all the color tagging around it that are
13 there and return the documents to the records center in
14 the manner in which they were when we received them with
15 the computer print-out fully indexing what's in the
16 thing.

17 So that's where we are now. That's what we
18 have developed. That's what we're implementing. That's
19 what we're testing. And that is what is in effect.

20 DR. GOLDBERG: Do these numbers of pages that
21 you have listed under Army record locations include the
22 exempted --

1 MR. MATTHEWS: Yes, that's the total record
2 holding.

3 DR. GOLDBERG: What percentage of these are
4 exempt?

5 MR. MATTHEWS: It's a guesstimate based upon
6 what we're hearing from DCSINT, our intelligence people.
7 The intelligence people identified 54 file series in the
8 Army file series that we have, several thousand file
9 series as those that should be exempt.

10 I think that there is some discussion going on
11 at ISOO now as to whether -- there's a question with
12 respect to four of the 54 file series. They accept 50
13 of the 54, okay.

14 We are guesstimating, guesstimating, I don't
15 know what else I can say. This hopefully will be borne
16 out again by the Proof of Principle where we can refine
17 the data and what we're doing and like that. Our
18 initial guesstimate now is that of the exempt -- the
19 exempt file series should cover approximately 25 to 30
20 percent of the documents.

21 BG ARMSTRONG: You list in your locations, or
22 you don't list records for unified commands for which

1 the Army has administrative responsibility, specifically
2 EUCOM and SOCOM.

3 MR. MATTHEWS: They're in there.

4 BG ARMSTRONG: They are in there?

5 MR. MATTHEWS: They're in there. But when you
6 take the Army commands and you start identifying the
7 Army commands, you say the bulk of the records.

8 BG ARMSTRONG: Those aren't Army commands,
9 those are Joint commands.

10 MR. MATTHEWS: They are picked up.

11 DR. GOLDBERG: The records in the Washington
12 National Records Center presumably are for a later
13 period than those in NARA, is that correct?

14 MR. MATTHEWS: For an earlier -- okay, yes,
15 the records at NARA should be older than the records at
16 Washington National Records Center.

17 DR. GOLDBERG: The Washington National Records
18 Center presumably will be 1960s and perhaps early '70s.

19 MR. MATTHEWS: There's an awful lot of
20 surprises in the boxes dated before 1960.

21 PROFESSOR WEINBERG: You commented on the
22 effort to develop reasonable cost estimates.

1 MR. MATTHEWS: Right.

2 PROFESSOR WEINBERG: If you are, if I
3 understood you correctly, starting in effect with the
4 Secretary of the Army and the Army Staff at the
5 Washington National Records Center, are you not likely
6 to end up with cost estimates which are substantially
7 higher than what you will find when you get into earlier
8 records of Army commands, earlier materials in the
9 National Archives, et cetera?

10 In other words, the offset, the starting as we
11 hoped you would with the higher level and more
12 important, historically, records almost by definition
13 they will present more problems to your classifiers, for
14 your declassifiers, than as you get into others and
15 lower levels and older materials, the problems
16 presumably ought to be less and; therefore, the initial
17 cost estimates, that's my point.

18 MR. MATTHEWS: Okay.

19 PROFESSOR WEINBERG: They may look more
20 frightening than they should.

21 MR. MATTHEWS: That is one point which you can
22 look at it. You could also look at it that those are

1 the records that are most recent and the people who have
2 worked with it most closely and there is not that much
3 issue about what has been done with those records and
4 there's all kinds of subject matter experts here in the
5 Washington, D.C. area where those records are and those
6 will fly through real quick because they're not
7 controversial anymore.

8 And the older records, when you get into
9 commands that have no longer been about there, about
10 projects that have been abandoned for 30 years and you
11 have to go back and start searching and find out who was
12 the successor command and who was this, and who was
13 that, it might very well cost you more to do the older
14 records with a fewer output than it would right now,
15 because it is very easy in this Washington, D.C. area to
16 find experts on anything that's happened in the federal
17 government in the last 20 years.

18 So I don't know. This is -- these are all
19 things that we fought back and forth with and that's
20 part of the cost estimate and part of what we are
21 getting forward by the Proof of Principle test and
22 that's what we will be better able to answer four months

1 from now.

2 MR. CLARKE: Do you find you have to address
3 microfilm or microfiche, or computer --

4 MR. MATTHEWS: Yes, we do. As a matter of
5 fact, one of the things that we put out on our contract,
6 it identified 26 different forms of material that have
7 to be reviewed that the files potentially have. It is
8 typewritten, handwritten, printed, sound taped, all
9 these things that -- there was 26 different variations
10 that the material could be faced with, that was part of
11 the contract that we let for the Proof of Principle
12 evaluation.

13 Now, we want to make darned sure, because
14 that's a Proof of Principle, that every one of those
15 gets to that contractor one way or another, so we know
16 how to handle fiche. We know what readers we read that
17 are -- you can't even find readers for them now. You
18 have to -- we're out scrounging stuff to get
19 old-fashioned readers just so we have them in case we
20 need them.

21 All these IBM cards that were used have -- it
22 used to be very popular where you run them through,

1 those machines don't exist anymore. We're trying to
2 find everything that we can and we're trying to get a
3 cross-section of everything that we have to put it
4 through this thing so that they can plan for all of this
5 type media no matter which way you go. It's part of the
6 contract.

7 DR. GOLDBERG: How much referral do you expect
8 to have to do within the Army?

9 MR. MATTHEWS: Within the Army?

10 DR. GOLDBERG: Right.

11 MR. MATTHEWS: I don't know right now. That's
12 what the Proof of Principle test will tell us.

13 DR. GOLDBERG: Why would you have to do very
14 much if you have the declassification authority?

15 MR. MATTHEWS: Because the declassification
16 authority that is granted is derivative from the person
17 who had the initial classification authority. And in
18 the letter of instructions, the delegation of authority,
19 when it says that I will do the declassification, I will
20 follow the instructions that the original classifier
21 followed in classifying the material, those 400 guides
22 are what is on the classification program that we have

1 right now.

2 Where you have to find a decision is, as I was
3 saying before, on previous commands, previous programs,
4 where we don't know who was the original authority, we
5 may have to find out who was the original authority. We
6 may have to go back. I would hope that that would be
7 extremely minimal, okay. But, if it is not, I am
8 prepared to find out who it is so I can take the action
9 on that.

10 DR. GOLDBERG: Why can't all of that be waived
11 in the interest of expediting it and in the interest of
12 common sense, knowing they can talk about something from
13 40 or 50 years ago that the organization is long since
14 gone, the people involved are -- maybe even the original
15 guidance is gone, why shouldn't you have the authority
16 to handle it? They have people with subject matter
17 authority to begin with.

18 MR. MATTHEWS: I agree with you 100 percent
19 and I hope that at the end of the Proof of Principle
20 that is what we will have on this and saying that's
21 totally ridiculous to pursue something like this because
22 it's a road block to stopping what we're doing. At the

1 end of the Proof of Principle that is hopefully what we
2 will come out with.

3 DR. GOLDBERG: Jim David, did you want to say
4 something?

5 MR. DAVID: Yes, Jim David, Air and Space
6 Museum.

7 Could you repeat the number of records
8 reviewed and declassified at NARA and WNRC?

9 MR. MATTHEWS: NARA it's roughly 65,000 have
10 been declassified, 7,000 additional have been referred
11 to us for additional review.

12 MR. DAVID: Million?

13 MR. MATTHEWS: Million, I'm sorry, I'd be in
14 trouble.

15 (Laughter.)

16 MR. MATTHEWS: And for our facilities, 3.25
17 million have been reviewed 98.5 percent plus
18 declassified.

19 MR. DAVID: With respect to the records of the
20 WNRC that have been reviewed, are they being returned to
21 WNRC, or are some going to College Park?

22 MR. MATTHEWS: Oh, I don't know.

1 With respect to the records at Washington
2 National Records Center, we are reviewing some in place
3 without even taking them out of the building. The
4 others that are going to our declassification facility
5 over in Ballston, the 5 million plus, will be trucked
6 over to Ballston. The records will be physically
7 removed from the WNRC. They will be processed, indexed
8 and returned to WNRC. Whether they in turn forward them
9 right to NARA or what, I don't know; that's not our call
10 on that.

11 MR. DAVID: The last question is, where does
12 somebody go to get a list of, for example, what
13 accessions you have reviewed at WNRC, regardless of
14 where they are physically located?

15 MR. MATTHEWS: I have ^L~~N~~estor Garcia over here.
16 We have a computer listing. We could -- I don't know --
17 I mean, it is not -- it could be gathered. I don't know
18 --

19 MAJ GARCIA: That hasn't been addressed how
20 we're going to make the database available yet. We have
21 a database as the result of the documents that we have
22 declassified and, of course, once we get the POP done,

1 that database will be made available.

2 MR. MATTHEWS: We have an unclassified
3 database.

4 MAJ GARCIA: How we will make it available
5 hasn't been addressed.

6 MR. MATTHEWS: You mean how can you access
7 yourself to the records that we have already reviewed?
8 That would be under a FOIA request.

9 MR. DAVID: The first step is just to see if
10 you folks have reviewed them. Whether or not they're in
11 College Park and they have been processed or they're
12 going to be processed, but just the first step of seeing
13 whether the Army has reviewed a particular accession
14 RG335 at WNRC, that's my question.

15 MR. MATTHEWS: We could answer it, I don't
16 know how we could, but we could answer it with all the
17 34 entries we got here, we could figure out something,
18 punch it into the computer. I'm not a computer person.

19 MAJ GARCIA: Our database will show if it's
20 been reviewed.

21 MR. MATTHEWS: If there's a FOIA request or
22 somebody asked, we can tell you whether, you know --

1 MAJ GARCIA: The WNRC database will not
2 reflect it.

3 MR. DAVID: No, no, but your database will?

4 MR. MATTHEWS: Ours will.

5 MAJ GARCIA: Yes.

6 MR. DAVID: How do we get hold of you?

7 MAJ GARCIA: Like I said, we haven't addressed
8 that piece about how we'll make it available to all the
9 agencies, I mean contact through us, search on our
10 database. Eventually I guess it would be, it's an
11 unclassified database. When we finally get through with
12 the Proof of Principle, then you ought to be able to access
13 it on-line or possibly even through the Web. I think
14 that's the notion we're discussing, because it is
15 unclassified.

16 MR. MATTHEWS: We made it unclassified so it
17 would be available.

18 MAJ GARCIA: We're capturing classified data
19 in the database.

20 MR. MATTHEWS: That is something that will,
21 I'm sure, will come up in the Proof of Principle.

22 We have tried to think of everything that we

1 can. We tried to walk this thing through. We've been
2 with the Air Force and had much of their help going in.
3 We've talked to the Navy and we have been with the CIA.
4 We've been with everything and tried to shuffle
5 everything together and come up with something that we
6 hope is a compilation of all of this that will meet the
7 requirements and do exactly what we want.

8 And that's why the Proof of Principle and the
9 statement of work, they're like this (indicating.) We
10 have gone through these contracts. We let out a
11 requirements analysis. Once we developed it, then we
12 had somebody come in and do a requirements analysis, an
13 analysis of what we're doing, did we hit it right, what
14 did we miss?

15 One of the things that we missed was what you
16 were saying there, the 26 different variations in the
17 thing, that resulted by a requirements analysis of a
18 contractor coming in troubleshooting what we were doing,
19 putting that in, other little pieces here and there. We
20 tried to make the most comprehensive program that we can
21 and we let the contract with that in mind and we have
22 the funding for the contract.

1 MR. CLARKE: When you finish this first bunch
2 of the Secretariat and Army Staff records that are at
3 Suitland in the Washington National Records Center --

4 MR. MATTHEWS: Right.

5 MR. CLARKE: -- they would be -- those -- our
6 staff and Secretary of Records, it's still under Army
7 control?

8 MR. MATTHEWS: That's right.

9 MR. CLARKE: That's what we're talking about
10 now.

11 MR. MATTHEWS: Right.

12 MR. CLARKE: Obviously, the others, you would
13 go to NARA. Then you would go out there, there may be
14 an information sheet out there that you people have put
15 together listing all the documents that you have given
16 thumbs up to.

17 Then one could, since the box number is there,
18 at least get transferred to NARA, one could ask for that
19 specific document. Then the archivist or the Army
20 records manager would go in the back and he would find a
21 box. In that box there might be some classified
22 documents that are tagged and that don't show up on your

1 print-out. But he would be able to get the ones that
2 anyone requested in the reading room up front and pull
3 those and bring them up and let someone look at them.
4 Is that kind of the end kind of product?

5 MAJ GARCIA: And everything that goes through
6 the facility will actually have a bar code that could be
7 entered in and you pull all the information on that
8 particular folder.

9 MR. CLARKE: It may be a manila folder that
10 would have a bar code.

11 MR. MATTHEWS: Bar coded and everything.

12 MAJ GARCIA: If there's folders in the box,
13 they will be treated as individual. If there's no
14 folders and there's just a box full of paper, it's a
15 single record.

16 DR. GOLDBERG: One more comment.

17 MS. KNOX: I just have one question.

18 Of the 25 to 30 percent of the documents that
19 you said roughly will be exempted --

20 MR. MATTHEWS: That's our estimate, or
21 guesstimate.

22 MS. KNOX: Whatever the ultimate number is,

1 will there be withholding slips placed in the boxes so
2 that researchers and FOIA researchers will be able to --

3 MR. MATTHEWS: It's my ^{LANDER} standing they'll be
4 wrapped with the records wrap that they have at the
5 Washington National Records Center. That one is tan --
6 you are getting me into trouble. We've got black wraps,
7 red wraps, tan wraps, green wraps, blue wraps,
8 everything. It's the one that can remain in the box
9 after you return it. All the others are internal
10 controls for ourselves. The one that is identified,
11 that goes back to the Washington National Records
12 Center, is tan or whatever color that is, that stays on
13 the records when the records go back to them. So that
14 will remain on them.

15 MS. KNOX: If I'm researching and I see a
16 document roughly pertaining to such and so has been
17 withheld, will that provide me with enough information
18 to pursue the appeal process?

19 MR. MATTHEWS: Yes. You will be able to
20 identify the document and request that for what you want
21 and it will be processed as a FOIA request or a
22 mandatory request for the document. That is part of

1 what we are doing here. That's one of the entries.

2 The exemption category, all this stuff, the
3 number, everything, number of pages, the functional
4 area, all that will be part of the bar code which is
5 what we're placing so much emphasis upon, upon that
6 paper on the front part of the document, so that they
7 match up.

8 The one thing, even if we have to go slower,
9 the one thing that we don't want to have to do is go
10 back and relook at anything for a second or third time.

11 Also, I know we are out of time, but I want to
12 put this thing out.

13 Number one is the Army's approach is not
14 treating the implementation of this Executive Order by
15 itself. It is part of an overall implementation of the
16 complete reorganization of the records management
17 function that the Army has right now.

18 So we have set up this Army declassification
19 activity which is set up under the auspices of the
20 Adjutant General. All records management functions have
21 been transferred to the Adjutant General. So what we're
22 doing now is, what we are doing is, we are feeding the

1 records management people, they are going out, they're
2 completely revamping their classification security
3 guidelines to cut down on the number of documents that
4 are being classified so you will never find yourselves
5 in the situation again with all this stuff sitting out
6 there and not knowing what to do with it.

7 What is envisioned is when the Army
8 declassification activity shuts down in the next 18
9 months or two years or whatever it is, in accordance
10 with this Executive Order, all of the assets that we
11 have will fold right in to the resource management field
12 and it will be a continuation of what's happening now,
13 but for the records for Army wide. And that's exactly,
14 under one centralized control of the records, that's
15 what we are shooting for and we are trying to get to
16 that by getting as many records processed as we can
17 right now.

18 DR. GOLDBERG: Thank you very much.

19 We have two more briefings before us. I think
20 Navy is next.

21 BRIEFING BY

22 ELLA NARGELE

1 MS. NARGELE: I'm Ella Nargele. I'm here to
2 represent the Naval Historical Center. I hope to make a
3 very clear distinction between what I'm saying in a
4 briefing about the Department of the Navy
5 declassification efforts.

6 I will give you a little bit of information
7 about the Department of the Navy, but basically, I speak
8 for the Naval Historical Center.

9 The Naval Historical Center is a repository
10 for the operational policy and other premises are for
11 valuable records of the U.S. Navy.

12 Among these holdings in our records collection
13 are the Chief Navy Operations records. Specifically of
14 interest today I think to most of you, I think, would be
15 the records of the immediate office of CNO, the
16 Strategic Plans Division and the Political Military
17 Policy Division.

18 We have Chief of Naval Operations records. We
19 have Secretary of Navy records and we have a number of
20 Washington papers that have been accumulated by senior
21 officials in the Navy and they have been placed in our
22 custody for safekeeping and for our ability to make them

1 available to the public for use.

2 The resources that we have obtained in the
3 last couple of years finally are all together and we are
4 ready to transition from the Navy Gulf War
5 declassification project that we have been involved in
6 for the last year and a half. We have been authorized
7 to maintain the eight declassifiers that we have. They
8 are already in a period of transition to Executive Order
9 Records. They are reviewing a portion of those right
10 now. We have been allocated seven additional permanent
11 active duty military billets. And these are the people
12 that will remain after April 2000 to continue the
13 declassification effort that is required by the
14 Executive Order.

15 We have the funds now to operate this effort.
16 We have the office space. We have a computer database
17 of classification guidance and the authorization to use
18 the guidance in this database. We have 800 Navy
19 classification guides. We have 400 Army classification
20 guides. We have all the Air Force classification guides
21 and we have State Department classification guidance
22 which is complete for the years which they have worked

1 through in their effort to publish their documents.

2 That will grow year by year.

3 We also had training for the people on board
4 already in equities recognition. We have commitments
5 from other components of DoD and other government
6 agencies to continue helping us to train our people in
7 equity recognition, the Department of Energy, CIA, DIA,
8 and the services as well other agencies.

9 The plans that we have in place emphasize
10 reviewing the high-risk records first. They contain the
11 records of the senior echelons of the Navy, the records
12 of the decision makers, and the high-level strategic
13 policy records of the Navy.

14 The order of review is the oldest first and
15 top down. And there are certain reasons behind these
16 decisions that may be of interest to you.

17 One is at least an orderly process. Another
18 is that our reviewers are inexperienced. Going through
19 the records in this way will enable them to build up a
20 database of their own knowledge. They will learn who
21 the people are, because quite often you don't know what
22 it is other than it's signed Allen or Ollie or whatever.

1 It will enable them to learn about the issues
2 as they build and as they go through the records. It
3 also gives the most complete range of information on the
4 issues as you go through them in an ordinarily process
5 like that, instead of leaping from topic to topic.

6 It covers the records which historians have
7 already demonstrated to us in the Naval Historical
8 Center that they are most interested in.

9 They are in the same phase as agencies in the
10 federal government in developing plans for agencies
11 working together. There have been some sort of
12 unexpected dividends. And one of those is the increased
13 understanding among the services and other government
14 agencies of the problems and of the nature of the
15 records. And all this is leading to a number of
16 cooperative endeavors among the agencies.

17 And these include the sharing of ideas and
18 resources such as the software programs that we are
19 using, the declassification guidance which I have
20 already mentioned which has been shared and the
21 authority to use them for the first time that I know of,
22 the training in equity recognition which is a big

1 program now and it is ongoing. It's training the
2 declassifiers. It's not a sharing among senior people,
3 it's down at the declassification level.

4 BG ARMSTRONG: Can I interrupt to make sure I
5 understand?

6 The Army has given the Navy authority to
7 declassify its documents based on Army guidance?

8 MS. NARGELE: The guidance that they have
9 provided. There may be other documents.

10 BG ARMSTRONG: But the Navy has reciprocally?

11 MS. NARGELE: Yes, we have given this to the
12 Air Force, and we have given guidance to the CIA.

13 BG ARMSTRONG: That's a major step forward.

14 MS. NARGELE: We have also been the recipients
15 of a great deal of software development from the Air
16 Force including the index database which we're going to
17 use to index all of our declassification decisions. And
18 then there is the CIA led cooperative efforts to
19 declassify the papers from the presidential libraries,
20 which has in itself been an interesting process.

21 We do feel that there are some challenges
22 left. One of those is equity coordination. None of us

1 has a good idea of whose equities and the volume of the
2 equities in our documents. And we have no idea where
3 our equities are in other people's records and what the
4 volume of those is, and it's rather frightening to think
5 about it.

6 BG ARMSTRONG: But if you have given other
7 people the authority to declassify your stuff, why do
8 you care?

9 MS. NARGELE: But I haven't given everybody --
10 it's only certain agencies that knew how to use it.

11 BG ARMSTRONG: Okay.

12 MS. NARGELE: In addition, there are times
13 when we don't feel like we can do it. We hesitate to
14 use it, because we don't understand the subject well
15 enough.

16 Then we have the challenge of overcoming the
17 lack of declassification guidance on policy issues
18 within DoD and other places in the government. And
19 that's at the senior level of DoD, JCS and other
20 components and there is no guidance that at least we
21 have the authority to use and I will add a parenthetical
22 here, that we have nothing from NSC either and we have

1 lots of records that have to be coordinated with NSC.

2 PROFESSOR WEINBERG: I'm sorry, I couldn't
3 hear the last words.

4 MS. NARGELE: The NSC. We have a lot of their
5 equity and it's going to be a matter of just no time.

6 PROFESSOR LEFFLER: Have you asked the NSC for
7 authority, because NCS has given the State Department
8 authority to declassify its records?

9 MS. NARGELE: No, I haven't asked them and I'm
10 not sure I will.

11 DR. GOLDBERG: State Department is in a unique
12 position for this.

13 NCS has often deferred to State Department and
14 is permitted to make decisions on its behalf of records
15 and documents. I don't know that it's done in any other
16 government department.

17 PROFESSOR LEFFLER: They certainly won't do it
18 unless you ask them.

19 MS. NARGELE: Well, this has been discussed.
20 We haven't asked for it.

21 DR. GOLDBERG: They've been asked frequently.

22 MS. NARGELE: Part of it is the issue of

1 guidance. Right now I'm talking about declassification
2 guidance.

3 BG ARMSTRONG: You say you had no
4 declassification guidance for policy matters from JCS,
5 OSD and NSC, is that right?

6 MS. NARGELE: Right, and others as well.

7 Then just as the Army mentioned, we have the
8 challenge of overcoming all of the problems resulting
9 from the neglect of records management. And that's a
10 terrible problem. It's one that even if we overcome the
11 problems of the past, we still have to worry about the
12 problems of the future unless something is done to
13 rectify how it's handled.

14 Now I will give you a little bit of
15 information about the Department of the Navy program.

16 The scope of the effort is one that -- right
17 now we're saying that it's 210 million pages. But
18 that's a very hard thing to get a handle on. We have
19 completely reviewed 80 million pages over the last year.
20 And so if we are using 210 million pages, that leaves
21 130 million pages to be reviewed.

22 BG ARMSTRONG: How much have you declassified?

1 MS. NARGELE: You mean the percentage of that?

2 BG ARMSTRONG: Yes.

3 MS. NARGELE: It was a large percentage, even
4 in the intelligence community, it was something like 95
5 percent. I think NAVSEA has done a large amount. I
6 think theirs was 95 or more percent. But I really can't
7 speak for them, but that's what I think I heard them
8 say.

9 DR. GOLDBERG: Does that include exempted
10 records also?

11 MS. NARGELE: Well, the remaining percentage
12 --

13 DR. GOLDBERG: The 210 --

14 MS. NARGELE: Oh, you mean records for file
15 series --

16 DR. GOLDBERG: What percentage of the --

17 MS. NARGELE: For the Naval Historical Center,
18 it's less than 2 percent that we have exempted. But I
19 can't speak for the Navy as a whole, I don't know. But
20 for us, we have asked to exempt less than 2 percent.

21 DR. GOLDBERG: You are holding a lot of the
22 high-level records?

1 MS. NARGELE: Yes.

2 That basically is the ones that have a
3 confidential entry and we use caution.

4 BG ARMSTRONG: We heard earlier, the concern
5 has come up about what happens to these records after
6 you've gone through and said these are declassified?
7 Are these records then being held by you but available
8 to researchers or are they going to NARA and --

9 MS. NARGELE: I will only speak to the Naval
10 Historical Center.

11 BG ARMSTRONG: Okay.

12 MS. NARGELE: Our records are available to the
13 public right now if they are unclassified, and we make
14 every effort to declassify them when they're asked for.

15 So when we finish our effort, everything
16 that's been declassified will be immediately available
17 to anybody that walks in off the street. Now, it
18 depends on what's --

19 BG ARMSTRONG: But the issue has come up
20 because in other instances the records go from the DoD
21 agency to NARA and because of the peculiarities of the
22 NARA system, they in fact are not available to research,

1 and that's what I was trying to get at.

2 MS. NARGELE: I really don't know.

3 BG ARMSTRONG: You don't have that problem
4 because you are a repository?

5 MS. NARGELE: Right.

6 There are a number of Navy commands that are
7 currently conducting declassification reviews. It's
8 more than a dozen. They are separate projects that are
9 underway within the Department of the Navy, because we
10 have basically a decentralized effort.

11 BG ARMSTRONG: Do you know if the commands
12 such as Pacific Command, Atlantic Command that are
13 unified commands for which the Secretary of the Navy has
14 administrative responsibility to include records,
15 whether or not their records are being looked at?

16 MS. NARGELE: I can tell you that we have been
17 working very hard with CIN^CPAC to help them.

18 BG ARMSTRONG: Yes, the 10 million microfilm
19 thing?

20 MS. NARGELE: Well, it's more than that. We
21 have a lot of the paper records. And we have been
22 helping them locate the ones that are in record centers

1 elsewhere.

2 BG ARMSTRONG: ACOM hasn't come to you --

3 MS. NARGELE: We have begun talking to them,
4 but that's only been recently.

5 But CINPAC is well on its way to getting
6 itself organized, and we've been talking to CINPAC.

7 DR. GOLDBERG: Naval Historical Records
8 Centers are only a part of the total, aren't they?

9 MS. NARGELE: That's right.

10 DR. GOLDBERG: Would you estimate that the
11 rest is substantially greater --

12 MS. NARGELE: It's a larger percentage, yes.

13 DR. GOLDBERG: It's a larger percentage?

14 MS. NARGELE: Yes.

15 DR. GOLDBERG: So that you probably have more
16 than a half a million pages altogether, the Navy.

17 MS. NARGELE: We also, I can speak to the
18 charter for this effort.

19 The general counsel of the Navy has been
20 appointed to oversee the program for the Secretary of
21 the Navy, that will be contractor support and this is
22 for the records that are not being reviewed by the

1 individual agencies. The Department of Navy
2 Declassification Office has been designated to provide
3 central direction under this contract and there is an
4 oversight committee of senior Naval officials and this
5 is cochaired by OPLAB NO9N and then the Director of
6 Naval History. They're all the members of the
7 committee.

8 Any additional questions?

9 MR. DAVID: For department of the Navy in
10 general, where does one go to get a list of what's been
11 reviewed and where it is presently located?

12 MS. NARGELE: A database, as far as I know,
13 once again, I'm not a part of the efforts so it's just
14 sort of hearsay.

15 But as far as I know, they are creating a
16 database that is very similar to the ones that have been
17 created by the Air Force and this information right now
18 is held by the departments that are doing review. I'm
19 sure that if you go to them and ask, they can tell you.

20 OBSERVER: The point of contact for the Navy
21 is Chief of Naval Operations.

22 MR. DAVID: I'm sorry?

1 OBSERVER: NO9N.

2 MR. DAVID: Thank you.

3 MS. NARGELE: Once we are underway, the
4 information from ours will be available at the Naval
5 Historical Center and perhaps other places as well.

6 OBSERVER: Thank you.

7 DR. GOLDBERG: Any other questions?

8 (No response.)

9 DR. GOLDBERG: All right, thank you very much.
10 The next in order, the Air Force, please.

11 BRIEFING BY

12 SHELDON GOLDBERG

13 MR. SHELDON GOLDBERG: I'm Sheldon Goldberg,
14 I'm an historian at the Air Force History Support
15 Office. I'm representing the Chief Historian today.
16 Today happens to be the 50th anniversary of the Air
17 Force, so the senior people are down in the Pentagon
18 celebrating.

19 With me here today I have two colonels from
20 the Air Force Declassification Team, Lieutenant Colonel
21 Don Dyrda, Colonel Dale Freeman and Debbie Ross from the
22 Information Security SFI, who are part of the management

1 of the Air Force declassification system.

2 I'm going to do this a little bit different
3 than some of what you have heard before today. In your
4 ISOO report there is a whole big blurb here about the
5 Air Force Declassification Team winning the Hammer Award
6 for the innovation and reinventing government.

7 You heard from a number of people that the Air
8 Force has jumped out and helped them with software and
9 this and that and that the Air Force has been at the
10 forefront of this declassification procedure. I thought
11 it might be a good idea to give you just a little bit of
12 historical background in the creation of this team. And
13 some of the issues that we have been discussing about
14 referrals, et cetera, will come out in this thing and
15 then I will give you a little bit about the current
16 numbers.

17 Okay, ten years ago in April 1987, the MACV
18 records in the National Archives -- were transferred to
19 the National Archives. In July of that year, we got
20 notification from the Army that this had occurred and
21 that we would be getting referrals on Air Force equities
22 in the Archives.

1 So we decided, the Air Force Historian in
2 August of '87 sent a letter to the Air Force
3 Administrative Assistant asking that guidance on
4 Southeast Asia be reactivated. In the late 1970s, there
5 was -- the Air Force had a Southeast Asia guide. It was
6 allowed to lapse.

7 We proposed that this guide be reactivated.
8 The people responsible for reactivating the guidance
9 were the information security people who, at that time,
10 were in Kirtland New Mexico. Although the
11 administrative assistant had overall authority on
12 declassification, as is the case today.

13 The first thing that was done, this proposal
14 was accepted and I was the person volunteered by the
15 historians to participate in this effort and I'm still
16 participating after ten years. The SPI people out in
17 Kirtland ^{Starlet} went around to the rest of the Air Force, asked
18 for new inputs on Southeast Asia, get the status of the
19 importance and the classification of Southeast Asia
20 stuff and a draft guide was created.

21 Early in '88, NARA asked about the guidance,
22 stating that there would probably be a lot of referrals.

1 By May of 1988, the information security people had a
2 draft Southeast Asia guide that was available for
3 circulation. At about that same time SAFAA, the
4 Administrative Assistant in May of '88 proposed that
5 meetings be conducted within the Air Staff on the use of
6 the guide, what were we going to do with this guide, how
7 were we going to implement it. At that point, the AA
8 representative to this procedure was Colonel William
9 Davidson the SAFAAZ. That Colonel Davidson is now Mr.
10 Davidson. He is the Administrative Assistant and he has
11 participated in a hands-on management lead to this
12 program from that time to this time.

13 At the very first meeting, we got together and
14 discussed how we were going to do this and it was pretty
15 much thought at that time that you couldn't use regular
16 officers because here we're 13 years after the end of
17 the Vietnam War and the only people with any experience
18 would have been senior colonels and general officers.
19 So it was decided that reservists, you could get
20 reservists who were still maybe majors, lieutenant
21 colonels reservists would have the knowledge to use
22 these guides and do the declassification. So, Mr.

1 Davidson went and picked somebody, Colonel Jim Annis,
2 who was the first leader of the declassification team.

3 A second issue that came up at this meeting
4 very early on was where were the records, who had them,
5 where were they? In July of '88, the Vice Chief of
6 Staff sent out a letter to the various commands asking
7 them to identify, survey their commands, find out who's
8 got what, what's out there.

9 By the 1st of January of '89, the draft guide
10 was distributed under another letter by the Chief of
11 Staff with a draft implementation plan for a five-year
12 program starting in February of '89 and going through
13 '93 to do the search, the declassification of the
14 Southeast Asia records.

15 But by August of '89, the team was set up
16 first at Andrews to do the records here in the D.C. area
17 in the Archives and in the Records Center. They also
18 went out to PACAV and to various other agencies to do
19 training and to determine what was there.

20 In March of 1991, the team moved down to
21 Maxwell Air Force base and basically co-located with the
22 Air Force Historical Research Agency which is the

1 repository for most Air Force records and histories and
2 they proceeded to start reviewing the histories and
3 other publications.

4 DR. GOLDBERG: When you say most Air Force
5 records and histories, how much do you mean beyond
6 histories?

7 MR. SHELDON GOLDBERG: A lot of graphs.

8 DR. GOLDBERG: Oh, they're not records?

9 MR. SHELDON GOLDBERG: Right, no, not records,
10 I'm sorry, I misspoke. Some raw documents that are not
11 record copies of things.

12 By that time, the team was cooperating with
13 DPMO on reviewing POW/MIA records, the Gulf War had
14 started and they were doing Gulf War records. The
15 Southeast Asia guide was revised and reissued again in
16 June of 1992. And basically they finished on time in
17 1993. By that time, drafts of the new Executive Order
18 were being passed around. And I think there was one in
19 November of '93. And at that point, a lot of the
20 emphasis shifted over toward preparing for the coming
21 new Executive Order using the experience and the people
22 that -- the experience that was developed in this

1 Southeast Asia product.

2 In February of '94, the Air Force Historian
3 wrote another similar letter to the Administrative
4 Assistant asking that a new set of guidance be developed
5 to use in review of the coming Executive Order. During
6 1994 and early 1995, before the Executive Order came
7 out, the management team developed the declassification
8 tools that are now being used, this Tool Book we just
9 talked about that you are going to see tomorrow morning.
10 There's also another computerized program called Quest
11 which is a training package to train the field
12 historians out in the field to do declassification based
13 on the guidance. You heard the talk about this package
14 of guidance that's developed and that is in use.

15 In October of '95, the Air Force put out an
16 automatic declassification plan, submitted it to ISOO.
17 This same plan was submitted to the field in January of
18 '96, and just recently in January '97, an appendix was
19 added which deals with the referral procedures for the
20 declassification.

21 In addition to this, I think that this
22 committee, when this committee submitted the lists of

1 materials that they wanted dealt with early on, they
2 mentioned -- some mention was made of records in St.
3 Louis. A year ago I took part in a survey with the
4 declassification team. We went out to St. Louis and
5 looked at what was there.

6 Now what was out there was a bunch of
7 basically unscheduled records, but of very high
8 importance. People asked where are the SAC records?
9 They're in St. Louis. Where is a lot of other things?
10 It's out there.

11 The Air Force top secret material which was
12 held outside of the main Page Boulevard facility, this
13 is at Winnebago Street, was entirely transferred up here
14 to the declassifiers at Crystal City mainly because it
15 was practically unserviceable at the satellite
16 locations. The whole pile was reviewed by them and has
17 been passed on to the Archives now. It is wonderful
18 stuff. They are also now reviewing some of the secret
19 and below materials.

20 Right now they're dealing with about 1,200
21 pages -- no 1,200 cubic feet of R&D material that goes
22 from the '40s and through the '50s.

1 There is also materials there that used to be
2 Record Group 18 that go back to World War II. In fact,
3 if you are looking for, you know, histories of Eighth
4 Air Force have been written from the headquarters
5 materials in the Archives and from the Air Force
6 histories. But practically nobody has seen the records
7 that were retired by Eighth Air Force.

8 When I was out there, we sampled some of those
9 boxes. The entry says Eighth Air Force 1942 to 1947. I
10 sampled the first box of Air Force plans and in it was
11 all the Bolero files, the transportation oversees. I
12 mean it's pure gold. Eventually that stuff will get
13 into the system and become available along with a lot of
14 other stuff. It's not just -- let me backtrack -- much
15 of the top secret material that was there was SAC
16 materials, I would say 60/40. A lot of it is restricted
17 data, nuclear stuff, it's automatically exempt. But
18 other stuff eventually will come through the pipe. A
19 lot of the stuff that's less than top secret will
20 eventually come out.

21 PROFESSOR LEFFLER: What does that mean
22 eventually? Are those things still in St. Louis or are

1 they being moved to Washington?

2 MR. SHELDON GOLDBERG: The less than top
3 secret is still in St. Louis.

4 PROFESSOR LEFFLER: And the top secret and --
5 the secret and above --

6 MR. SHELDON GOLDBERG: The ~~stop~~ secret has
7 been passed to the Archives for processing. It's been
8 reviewed and --

9 PROFESSOR LEFFLER: And it's physically in --

10 MR. SHELDON GOLDBERG: -- College Park.

11 DR. GOLDBERG: How much of it is exempted?

12 COL DYRDA: Probably less than 15 percent of
13 it, 10 to 15 percent of it is exempted. The Air Force
14 exempted no record files series at all in the Executive
15 Order.

16 DR. CAHN: The rest is accessible then?

17 COL DYRDA: It's accessible except for the
18 fact that the documents were damaged. And NARA is going
19 through the process of reconstructing and rebinding some
20 of the documents.

21 MR. SHELDON GOLDBERG: This survived a fire
22 there. I mean if you've got documents, you know,

1 plastic ring binders, they melted. There are a lot of
2 documents that were in individual envelopes, okay? In
3 most cases, they were not sealed envelopes. The
4 envelopes were tucked in. That glue ended up being
5 glued to the document. When I looked at the stuff in
6 the 1970s when we borrowed some of it out of SAC, we had
7 to use a hair dryer to get the document out of the
8 envelope. So there's significant work that needs to be
9 done to make these things usable.

10 BG ARMSTRONG: You said essentially you dealt
11 with the problem of the SAC records, is that fair to
12 say, in so far as you know anyway?

13 MR. SHELDON GOLDBERG: There's nothing there
14 later than 1966.

15 PROFESSOR WEINBERG: So the Eighth Air Force
16 records are still in St. Louis, did I understand that
17 correctly?

18 MR. SHELDON GOLDBERG: Yes. Because of
19 priority, they're going to review this unknown bunch of
20 R&D, 1,200 cubic feet of R&D records before they deal
21 with the World War II stuff which they can let
22 automatically go if -- a lot of it had been

1 declassified, but they found that there was no
2 documentation of the declassification and it really
3 needs to be looked at a little bit again before it is
4 released.

5 BG ARMSTRONG: Let me ^{TAKE} ask you back to SAC for
6 a minute. SACAF has responsibility for the SAC records.
7 Are you going to be able to get a handle on those
8 records that are subject to the 25-year rule so that
9 they will have been looked at and either exempted or in
10 some manner reviewed?

11 MR. SHELDON GOLDBERG: Well, whatever is out
12 there has got to be looked at, the rest of it, yes.

13 We started, one of the things I haven't gotten
14 to yet is, the Air Force started with the most
15 important, the top secret, the most important first,
16 because we were geared up and the reviewers had the
17 experience. So we started with the TS, the next is
18 going to be an unseen bunch of R&D material or logistics
19 stuff and the World War II stuff is going to be last
20 because it is the least -- it may be the most important,
21 but it is the least security.

22 BG ARMSTRONG: Could I ask you about the NORAD

1 ADCOM records. Do you have a handle on where those are?

2 OBSERVER: I believe if you are speaking of
3 the Unified Commands, they are responsible for
4 declassifying their own records. That's the approach
5 that we have taken as far as I know.

6 BG ARMSTRONG: Cynthia, you are the OSD
7 person, is that right?

8 MS. KLOSS: Yes, sir, I am.

9 BG ARMSTRONG: Is what she said right?

10 MS. KLOSS: I think that I have always told
11 this panel that the area we were most concerned about
12 was the Unified and Specified Commands, because the
13 relationship for Administrative Executive Agent is not
14 equally defined by each agency. With the exception of
15 EUCOM, each of the Unified Specified Commands have
16 developed their own declassification programs and plans.
17 The only exception is EUCOM. And those plans call for
18 their review of the material when they are retired. I
19 will tell you, I think that's the big issue is when they
20 are retired.

21 BG ARMSTRONG: Like ADCOM records for which
22 you have a successor command but --

1 MS. KLOSS: Right.

2 BG ARMSTRONG: Okay. So you're saying
3 basically SPACECOM has responsibility for those records?

4 MS. KLOSS: Yes I talk to SPACECOM often on
5 their holdings.

6 MR. SHELDON GOLDBERG: I don't think in the TS
7 stuff, I don't think there was any unified NORAD stuff
8 there. There's no early Air Defense Command stuff, but
9 that's entirely Air Force.

10 DR. GOLDBERG: Where did NORAD records go when
11 they were retired?

12 MR. SHELDON GOLDBERG: I don't know.

13 BG ARMSTRONG: I don't know, but since they're
14 by national certified definition of that command they
15 may never be retired, in the sense that they go into our
16 system. I don't know what provisions there are.

17 MR. SHELDON GOLDBERG: Again, I don't want to
18 knock somebody who's not here, but what was said before
19 about records management accuracy has been deemphasized
20 almost everywhere in the last two decades and it is
21 hurting. Everybody recognizes it needs fixing.

22 PROFESSOR LEFFLER: It would be of interest

1 for someone to find out where these records are.

2 PROFESSOR WEINBERG: We do have combined
3 international records of commands of World War II, Shafe
4 so on, and so forth, lots of them ended up in this
5 country. They're international agreements covering
6 access issues and classification. Presumably in NORAD,
7 records are subject --

8 MR. SHELDON GOLDBERG: Somebody needs to ask
9 the records managers out there if they have any record
10 of what they did with this stuff.

11 MR. DAVID: I was just going to say, there's a
12 couple record groups, I can't recall their numbers at
13 the moment, at WNRC that have records of joint unified
14 and specified commands and some of those record groups
15 have records at NORAD and U.S. Strike Command, so on,
16 and so forth.

17 DR. GOLDBERG: Of course, we do hold the
18 records of other national commands and a lot of NATO
19 records, for instance, back here in Washington in our
20 records files too. So we do hold a lot -- we don't have
21 the records, they're not retired here, we have a lot of
22 the documents.

1 BG ARMSTRONG: There is the problem of the
2 lack of successor commands. You just brought up two,
3 the U.S. Strike Command was replaced by U.S. Raimans
4 (sp?) Command which was really not replaced by anything.
5 In that case, I would assume that the Army would be the
6 -- had residual responsibility for those records, in my
7 recollection the administrative agency.

8 MR. SHELDON GOLDBERG: There's SIGNAV that's a
9 Navy thing, there's all sorts of short lived --

10 MR. CLARKE: A separate decision has to be
11 made in individual cases, MACV being the most obvious
12 one to us. If MACV goes away, obviously, there's no
13 U.S. Command in South Vietnam and so DoD gives Army
14 residual authority or responsibility.

15 BG ARMSTRONG: My only concern is that those
16 decisions have been made.

17 MR. CLARKE: Or sometimes they haven't been
18 made.

19 BG ARMSTRONG: In which case, the three,
20 you've got the records, what do you do with them? They
21 haven't been reviewed and automatically declassified.

22 MR. CLARKE: You have to ask someone to make

1 the decision.

2 DR. GOLDBERG: You haven't finished yet, have
3 you?

4 MR. SHELDON GOLDBERG: No, I have just a
5 little bit more. Just one more effort that's underway
6 through the Air Force Historian that I just wanted to
7 make you aware of.

8 The Archives has -- this is from the Southeast
9 Asia time period -- there are computerized reporting
10 systems, JCS reporting systems, SEADAB, CACTO, whatever
11 old computerized systems that have been on file in the
12 Archives for years. They were basically unreadable.

13 We had a -- one of our reservists who was a
14 computer expert has been working on this and we provided
15 a little seed money to a contract outfit made up of a
16 bunch of old programmers who had the tools to unlock
17 this stuff. And we finally got somebody to pay to get
18 this work done, SUCTAC who was responsible for demining
19 in Southeast Asia has paid to get these tapes developed.
20 And there's 133 data entry points possible for every
21 mission during this period. I think the SEADAB covers
22 1970 to the end of the war and then they're going to

1 work on the earlier 1965 to '70 tapes, which means you
2 are going to be able to, through a computer, follow how
3 air cut campaigns developed over time mission by
4 mission.

5 Some of this will have POW/MIA implications in
6 searching. This demining effort is really paying off
7 for them. This is a tremendous amount. This will be
8 usable for professional military education. You'll be
9 able to follow this war through a computer, mission by
10 mission. It is an incredible amount of information and
11 this stuff will be available in the near future. I'm
12 not sure just how it is going to be made available, but
13 it is being used, and it is going to be made soon.

14 Let me get briefly into some of the numbers
15 here, the current information.

16 Basically, the Air Force is approaching,
17 coming close to the 15 percent goal mandated for the
18 5ADO. As far out in front as the Air Force has been, we
19 actually had a slow start in numbers because we focused
20 on the most sensitive material first and because,
21 basically, in the Air Force this whole review was an
22 unfunded requirement. It's been done by reserve

1 personnel and there's manhour questions. With the last
2 quarter of this fiscal year, they've been limited in
3 what they could do, they have to slow down their whole
4 program.

5 But now that most of the most sensitive stuff
6 is done, they'll be getting in to the easier material
7 which they can do faster and they'll be able to catch up
8 to the percentage guidelines.

9 DR. GOLDBERG: How much was the most sensitive
10 material that has been done?

11 MR. SHELDON GOLDBERG: How much?

12 DR. GOLDBERG: Yes, what number of pages, what
13 percentage of the total, whatever, do you have any
14 notion of that?

15 MR. FREEMAN: We can pull that off the
16 database and get that for you tomorrow morning.

17 DR. GOLDBERG: And how much of it is exempted
18 still?

19 MR. SHELDON GOLDBERG: From 1995 to September
20 of 1997, the Air Force has reviewed 26,606,864 pages,
21 basically 15 percent of the total number of pages which
22 was estimated at 176 million pages.

1 They have declassified 16,582,268 pages which
2 is basically a cumulative total, 62 percent of what was
3 reviewed. This was of the highest level, TS stuff.
4 Obviously, that should improve in the next years.

5 DR. GOLDBERG: 26 million at TS level?

6 COL DYRDA: No, sir, not that entire --

7 MR. SHELDON GOLDBERG: Not all TS level.

8 OBSERVER: It was just our most sensitive
9 stuff. It was not necessarily Top Secret, but it was
10 our most sensitive stuff.

11 MR. SHELDON GOLDBERG: In fact, it was an
12 improvement between '96 and '97, the cumulative 62
13 percent is based on 54 percent declassified in '96 and
14 up to 72 percent declassified in '97, and it should come
15 up.

16 DR. GOLDBERG: What period does it cover?

17 MR. SHELDON GOLDBERG: Time periods, you just
18 -- this includes Washington National Records Center and
19 the Archives and a lot of the stuff in the field, a lot
20 of the material is material that was histories from the
21 Air Force Research Agency down at Maxwell.

22 COL DYRDA: It included all periods for the

1 last 50 years, right up until 1975, from '47/48 through
2 '75.

3 DR. GOLDBERG: '75?

4 COL DYRDA: Yes.

5 DR. GOLDBERG: You are ahead.

6 COL DYRDA: Because we are doing histories,
7 and some of the histories went right up to 1975.

8 DR. GOLDBERG: And most of that is in the
9 Archives or still at the Washington National Records
10 Center?

11 MR. SHELDON GOLDBERG: The histories
12 themselves are at Maxwell and they're filed in order.
13 You will get a block of histories from '42 through '75.
14 So they're going to do that whole unit together.

15 DR. GOLDBERG: How much of this total do those
16 histories comprehend? Are they a large part of this 26
17 million?

18 MR. FREEMAN: No.

19 DR. GOLDBERG: No? Some of them are pretty
20 big, they have a lot of pages in them.

21 OBSERVER: I'm not sure that we could capture
22 that without going back and looking at all of it.

1 DR. GOLDBERG: You are not talking only about
2 records in the National Archives and the Washington
3 National Records Center, you are talking about materials
4 down at the Maxwell Air Force Base?

5 COL DYRDA: And out in the field.

6 DR. GOLDBERG: And in the field also.

7 OBSERVER: The total figure.

8 DR. GOLDBERG: They're widespread.

9 COL DYRDA: There's approximately 11 million
10 pages at the Historical Research Agency at Maxwell and
11 we have completed somewhere around 4 million to 5
12 million of those pages.

13 DR. GOLDBERG: At Maxwell?

14 COL DYRDA: At Maxwell.

15 BG ARMSTRONG: Is there a listing of the
16 histories you looked at?

17 COL DYRDA: Yes, we do. Maxwell is in charge
18 of that -- all the SAC histories have been done.

19 MR. SHELDON GOLDBERG: They provided training
20 to the field, they have gone out and visited most of the
21 major command locations and clarified the issues to them
22 and helped these other commands to get started and do

1 their own reviewing by providing the guidance and the
2 training. And basically I guess that's all I've got.
3 I'm about on time.

4 DR. GOLDBERG: Yes.

5 MR. DAVID: Just to clarify things, virtually
6 all, or all of the TS SAC records from 342 in St. Louis
7 have been brought here for review, is that correct?

8 MR. SHELDON GOLDBERG: They have been reviewed
9 and they're already passed to the Archives.

10 DR. GOLDBERG: That's through 1966, only
11 through 1966.

12 MR. DAVID: And the secret and below SAC
13 records in 342 in St. Louis are still there and sometime
14 in the near future they'll be brought back for review?
15 Will there be the same cutoff date there, '66 will that
16 go through '74?

17 MR. FREEMAN: That'll go through '74. We
18 currently have transferred approximately 500 more boxes
19 from St. Louis down to Maxwell where a group of
20 reservists are reviewing those. From Maxwell they'll go
21 to the Archives or back to St. Louis wherever NARA
22 decides they want to hold it.

1 MS. KNOX: Dr. Goldberg, you mentioned the
2 specific targeting of the Vietnam era documents. The
3 Defense Authorization Act of '91 as amended by '95
4 required the same review of collections for all
5 departments with regard to the Korean war documents.
6 Has that been done, to your knowledge, within the Air
7 Force?

8 MR. SHELDON GOLDBERG: I don't think so. The
9 Korean War is just being done with the 25-year review.

10 OBSERVER: I'm not aware of any effort that is
11 going on, but I would have to check that out.

12 MS. KNOX: Could I check with you?

13 OBSERVER: Yes.

14 COL DYRDA: We are aware of the emphasis on
15 the Korean War POW/MIAs and our researchers flag, call
16 us, let us know immediately when they run across this.
17 It was brought up this morning that that information is
18 not by itself, it's within all the record groups. So
19 it's just a matter of reviewing the entire record group
20 to find this particular information.

21 MS. DEAN: One particular record group.

22 MR. DEAN: Richard Dean, I'm with the

1 Korean/Cold War Family Association of the Missing.

2 We've heard a lot all day today about exempted
3 files. It sort of begs the question as far as
4 declassification as to when the exempted files will be
5 -- is there some mandated date when they will be
6 revisited, five years, ten years, 15 years from now? It
7 could be a big problem.

8 MS. KLOSS: The one time only file series
9 exemption, each file series included a date or event for
10 declassification. That was part of the original
11 justification. In some cases, it was a very clearly
12 stated event, upon renegotiation of a treaty or some
13 other circumstance. In other cases, it was a time
14 frame, exempt from the 25-year rule plus five years,
15 plus ten years. So each file series has a separate and
16 distinct declassification bench mark.

17 MR. DEAN: That problem has been looked at and
18 identified at the time of the first visit?

19 MS. KLOSS: Yes, sir, and as I mentioned, this
20 summer we have gone through all of our submissions to
21 expand on the description and be more specific on the
22 date or event. Professor Weinberg's question, have

1 these files series requests been approved? The answer
2 is, no, they have still not been approved.

3 MR. HALL: These exempted materials, are they
4 identified? Whereas, whether it be Korea or Vietnam era
5 or a later era documentation, if we come to realize
6 tomorrow or at a future date that a certain set of
7 exempted records has POW material, if you don't give us
8 a list or make a list available, we cannot identify it
9 to put it into special handling or whatever, this
10 process that is set up. But if there are certain
11 records that are withheld from declassification, if they
12 are not revealed to exist, they can't be identified to
13 be put in for declassification. You are saying that
14 that can be flagged at some future date, that may not be
15 sufficient if they contain records that need to be
16 accessed. Am I clear on that?

17 MS. KLOSS: Not to me, I'm sorry.

18 MR. HALL: Pertaining to POW information, if I
19 find out Secretary of Defense, the example this morning,
20 Secretary of Defense Laird's records, I can't believe
21 they can't be found. I put in three FOIAs. These may
22 be exempted material, they may be withheld for

1 declassification.

2 DR. GOLDBERG: Did you ask Secretary Laird?
3 He has them, if you are looking for them, he still has
4 seven or ten file cabinets of material.

5 MR. HALL: I put in an FOIA for Secretary of
6 Defense.

7 DR. GOLDBERG: Did you talk with him directly
8 or write to him directly?

9 MR. HALL: I already did, and he said to put
10 -- I spoke to him on the phone and he said put them in a
11 FOIA to DoD. You are the ones that are responsible for
12 it, he doesn't take his official records with him home.

13 DR. GOLDBERG: Who says so?

14 (Laughter.)

15 DR. GOLDBERG: He had custody of them. He
16 didn't have them at home. He had custody of them
17 elsewhere than the Pentagon.

18 MR. HALL: He didn't take his breakfast
19 meetings and that's where the POW information is. I use
20 that as an example. If there are other such records
21 that contain POW information, I don't find it acceptable
22 that you can withhold them and not identify where they

1 are when they are subject to other Executive Orders.
2 This is what has been going on. You may be correcting
3 it, but up to this point this has been what is going on.

4 PROFESSOR WEINBERG: I think maybe the
5 question that's being asked is the following, is there
6 or will there be a publicly available list of the file
7 exemption requests that presumably through ISOO go to
8 the White House for approval. Then if and when an ~~AS~~
9 action is taken, there would be a listing from this
10 segment of the Department of Defense, these file series
11 have been exempted from the Department of the Army,
12 these have been. If I understood correctly, the Air
13 Force isn't asking for any.

14 MR. HALL: You're touching on it, yes. So if
15 these were Air Intelligence files, which I'm also
16 looking for, and they were exempted, I would have a
17 right to access for them in two years under the
18 mandatory declassification review. But, if you didn't
19 give me that list or the White House or somebody didn't
20 give me that list, I wouldn't know where to look for
21 them.

22 MR. CLARKE: I don't understand, I go out to

1 Suitland, you know, if I'm working out there, they
2 change things around there every so often, but I'll go
3 in there and I'll say, hey I want to look at the
4 Secretary of Defense records and they're not going to
5 let me see them, they don't know who I am if I don't
6 show them my ID or anything.

7 But I've used Laird's records because when I
8 was working Vietnam, I was interested in every one of
9 his trip reports, what he had before he went to Vietnam,
10 what he did when he was in Vietnam, what he did when he
11 came home. So I looked at -- they open up the file
12 cabinets up front and they let me look at all the
13 transmittal sheets that were typed when the DoD records
14 went out there.

15 Now I have to figure out from those
16 transmittal sheets what years and what might be of
17 interest to me. Some of them are just one box, some of
18 them are -- it just depends on what the clerk decided to
19 type. But they're out there.

20 MR. HALL: Not all out there.

21 DR. GOLDBERG: They're not all out there,
22 that's correct.

1 MR. CLARKE: There were two or three file
2 cabinets out there.

3 MR. HALL: That's what I say, there's 10
4 million records declassified and that's a lot of
5 records, that's an impressive amount. But if there's 1
6 million of highly relevant to what I'm looking for,
7 that's more important than the 10 million that also
8 exist. You say Secretary of Defense Laird's records are
9 there. Yes, I know that they are there. That's not
10 what I'm looking for, I'm looking for his breakfast
11 meetings which are a particular subset.

12 MR. CLARKE: I was looking for that. The
13 records are out there. Now the question whether they're
14 classified, if they're classified. Then I can't see
15 them unless I have a security clearance.

16 MR. HALL: But you have to know where they are
17 to have them declassified.

18 MS. KLOSS: Let me respond to your question
19 Dr. Weinberg, because I know the answer to that,
20 hopefully, I know the answer to anything today.

21 The list of submitted files series, has not
22 been released by the ISOO. It is still in the process

1 of being approved. So I would think that any release at
2 this juncture outside of government channels is
3 premature. That's a request only.

4 Once it is approved, that may be open for
5 discussion. I don't think anybody has asked the
6 question. I will certainly pass this on to ISOO.

7 We released several of the files series to the
8 panel members as part of the consultancy configuration,
9 the consultancy agreement. But I would view that as
10 internal deliberations and not a final product until it
11 has been acted upon by the National Security Advisor and
12 ultimately the President. I will refer your suggestions
13 to the ISOO following this meeting.

14 PROFESSOR LEFFLER: We discussed them about a
15 year or so ago when we saw the list. And we had raised
16 some reservations about the way they were presented,
17 because they were so general. I understood you to have
18 said this morning that they've been refined.

19 It would have been nice if this advisory
20 committee would have had a chance to look at them and
21 provide advice before they were sent to ISOO. Once
22 they're approved by ISOO, it's going to be too late to

1 deliberate upon them. And I'm simply saying that if we
2 are to be used as an advisory committee, it would have
3 been nice to have asked us for our advice, once they
4 have been refined.

5 MS. KLOSS: Point taken. You can have a copy
6 of the refined one.

7 PROFESSOR WEINBERG: I would like to stay with
8 this same subject.

9 As and when action is finally taken, obviously
10 certain ones, let's say a couple are turned down, okay?
11 At that point then, they go through the review procedure
12 like the nonexempt files, they're in effect kicked back
13 to whichever agency asked and they are told, please get
14 busy on these. The ones which are approved for
15 exclusion, surely at some point, that approval with the
16 list has to be made public.

17 MS. KLOSS: I don't know that to be the case.
18 I don't think -- I've never asked the question what
19 happens if and when the President approves the list,
20 will that information be captured, for instance, in this
21 document next year (indicating.) I haven't asked the
22 question, I will. I don't know what the answer is.

1 DR. CAHN: Would it be appropriate for this
2 committee to recommend that that be the case?

3 DR. GOLDBERG: No reason why we can't
4 recommend and no reason why the question can't be asked,
5 most certainly. We're here to make recommendations.

6 All right, Jim David.

7 MR. DAVID: Steven Garfinkle, Director of
8 ISOO, in response to my request to review various lists
9 of files proposed for exemption from automatic
10 declassification stated to me that the list of files of
11 -- proposed for exemption from automatic
12 declassification in CIA and NSA are themselves
13 classified.

14 DR. GOLDBERG: Some, yes.

15 MR. DAVID: So whether those two lists are
16 approved in whole or in part, whatever the final result
17 is, those would be classified.

18 DR. GOLDBERG: And there may be a few from
19 other departments that also --

20 PROFESSOR LEFFLER: Some of those that came
21 here last year were classified, we weren't even able to
22 see them last year.

1 MS. KLOSS: It was the description that became
2 classified. Obviously, the components tried to put as
3 much information as descriptive write-ups in their final
4 series exemption, asked counsel to eliminate any doubt
5 as to, this is a good candidate for file series
6 exemption. The list of files was a separate and
7 distinct action versus the justification for the file
8 series exemption and that I would suggest would clarify
9 for the DoD component, meaning the NSC, I can't speak
10 for the other agencies beyond DoD. *unint.*

11 PROFESSOR WEINBERG: I think this is really a
12 terribly important issue and at some point if it's not
13 handled properly, it's going to lead to a public
14 relations disaster for our government.

15 The issue that was raised by the gentleman in
16 the back, it seems to me, suggests that in the process,
17 especially for certain agencies, thought be given to
18 what I would call the preparation of parallel lists.
19 That is to say, that File 67-3 has, if you will, two
20 descriptions, one that can be publicly released, agents
21 in Asia 1945 to 1950, and another one that is classified
22 that says a good deal more.

1 What I'm concerned about and what I think
2 others are concerned about is that sort of vast
3 quantities of records vanish with no identification
4 whatsoever except that there are X million which don't
5 ever get reviewed within the lifetime of anybody around.
6 I mean, this is the part that I think --

7 MR. DEAN: Exactly.

8 PROFESSOR WEINBERG: -- needs some thought.
9 And it my mean two sets of descriptions of which one can
10 be released and one, because of certain information
11 contained in it the names for example, remains
12 classified.

13 And I am convinced myself that people will not
14 find that preposterous. That is to say, you can have
15 file series X, Y pertains to nuclear weapons, et cetera,
16 et cetera, and people will understand why that file
17 series is closed.

18 Whereas going through the official channels,
19 there is a considerably more detailed description of the
20 same files, but it can't be made public. It seems to me
21 that there are any number of ways of skinning this
22 particular cat, but it has to be skinned.

1 DR. GOLDBERG: The more we discuss the
2 subject, the bigger the job appears to be coming.

3 There are a lot of aspects to it. The more we
4 probe, the more we see things that ought to be done and
5 we hope will be done. But, if you take on additional
6 things it means you may not have as much time or as much
7 effort to devote to the central part of this job, which
8 is of course, the declassification itself, the resources
9 are going to continue to be limited.

10 Did you want to say something?

11 MS. KNOX: I just wanted to point out
12 something that perhaps the panel members are not aware
13 of, that in the legislation that I had cited here
14 earlier pertaining to POW/MIAs, there's a legislative
15 mandate that when a document is withheld, notice of that
16 withholding be placed, if it's one of the relevant
17 documents that pertains to location, whereabouts of a
18 missing individual, be made available, a notice of the
19 withholding be made available to the public so that we
20 know that such a document exists and then can pursue our
21 rights of appeal.

22 As to the those particular record groups, it

1 shows the intent of Congress. There's a legislative
2 mandate to be doing that. I would suggest that it would
3 be beneficial to society at large as to all the
4 documents. But as to the ones that concern my interest,
5 I know that they are supposed to be being done.

6 DR. GOLDBERG: Congress doesn't always abide
7 by its own mandates.

8 DR. CAHN: Made available on what venue?

9 MS. KNOX: All the agencies and offices are
10 supposed to review the collections, turn over documents
11 to DoD and any documents that they withhold, they're
12 supposed to include a slip of notice so that DoD will
13 know about that when it turns around and makes them
14 public to the families and anybody else who would
15 inquire.

16 BG ARMSTRONG: Can I say something about, I
17 think it would be useful for tomorrow, I think over the
18 last several meetings, particularly with today's
19 briefing by the Army and the Air Force and the Navy, it
20 has become, I think, clear that the declassification
21 review effort that was started as a result of the
22 Executive Order is picking up steam, is in fact doing

1 what it is supposed to do. And increasingly what this
2 body is becoming concerned with is the result of that
3 effort and the result in a couple ways; the need for a
4 list or listings of files that have been submitted for
5 exemptions as part of this process; the need for the
6 documents once they are reviewed and declassified or
7 exempted in part and put into the process to go to NARA;
8 the need for those documents or at least the
9 declassified ones, to be made available on a fairly
10 expeditious basis to the community at large, not only
11 the scholarly community, but to the public at large.

12 The reason I bring this up is because I agree
13 with Professor Weinberg if -- first of all, my
14 understanding of the intent of the Executive Order is to
15 produce information at the end of this process for the
16 public.

17 That being the case, it seems to me that it is
18 important that the process do that and that while the
19 part of the process that you are responsible for and the
20 services are responsible for is working, that the rest
21 of the process that results in this information being
22 made available to the public may in fact not be working,

1 and that you do get into an issue at some point of
2 public trust. Is that a fair thing to say?

3 PROFESSOR WEINBERG: Yes, I think so. This is
4 why I say that regardless of what the form finally is,
5 the exempt files can't vanish into thin air. There
6 needs to be an unclassified version of this thing and a
7 description of some sort so that people know that these
8 things were from the Navy or these things were from
9 another agency dealing with weapons of mass destruction
10 1950 to 1960, that series is closed, that's all.

11 DR. GOLDBERG: Most of these materials are
12 held or will be held by NARA. It's NARA which will have
13 to make them available. You are right in that the
14 services are dealing with reviewing them and
15 declassifying them. NARA is involved in that too, of
16 course. But in large part, it's going to evolve on
17 NARA, and it's an awfully big job.

18 BG ARMSTRONG: I understand all that. I'm
19 simply telling you that there is -- I believe there is
20 and increasingly will be, that is a date certain as 2000
21 draws nigh, public expectation of material available and
22 it is to the interest of DoD, since it holds an enormous

1 amount of information to do everything it can to make
2 sure that that expectation is met. And in those cases
3 where it is not met for some reason, for an explanation
4 to be available, because you can blame NARA and say
5 they've got it all and they haven't done anything; but,
6 that isn't who the public will look at.

7 DR. GOLDBERG: The public is going to have to
8 go there to look at those documents. They know they
9 have to deal with NARA. The responsibility of the
10 government departments is to declassify and to help NARA
11 with the declassification.

12 PROFESSOR LEFFLER: One of the basic points is
13 that NARA doesn't have the help that it absolutely
14 requires and what Michael Kurtz was saying this morning,
15 there's been less than satisfactory effort at times to
16 provide the help to NARA that it absolutely requires in
17 order to make those records available.

18 The other part, I would agree with you that
19 what we heard today from the Army and the Air Force and
20 the Navy is very encouraging. I would add that it's a
21 lot more encouraging than what we heard last time about
22 the OSD records themselves. And there's an anomaly here

1 that in terms of tomorrow's meeting we might convey very
2 clearly and that is that some of the services are vastly
3 further ahead than OSD itself. Within OSD there is a
4 huge amount of material from the 1950s and '60s that's
5 not been declassified and that's still at Suitland under
6 the auspices of OSD itself and that is not simply --
7 it's partly a NARA problem, but it's partly an OSD
8 problem too.

9 DR. GOLDBERG: The '50s records with the
10 Archives getting the '60s is the problem.

11 MS. DEAN: Excuse me, is it my understanding
12 that all of DIA and CIA will be in the exempt category
13 or did I misunderstand that?

14 MS. KLOSS: I can only speak for DIA. DIA has
15 certain files identified. Again, it is a very small
16 proportion of all of their title holdings. Does that
17 answer your question?

18 MS. DEAN: Because therein lies a lot of the
19 records from Korean and Cold War and that we have been
20 unable to access or identify since when we go into
21 Archives, bulk -- in many of the records that are still
22 -- the massive numbers of records stating in 1980 or

1 1985 records were removed. But there isn't enough
2 identification of the documents for us even to FOIA, to
3 request the right to review or there's no way to hope
4 that those documents will ever be returned to the
5 Archives for future access.

6 DR. GOLDBERG: DIA doesn't hold basic Korean
7 War records, does it?

8 MS. DEAN: Yes.

9 DR. GOLDBERG: It does?

10 MR. DEAN: It gives the date of the document
11 but it says the subject is secret. So you don't know
12 whether to blow the whistle on DPMO and tell them to go
13 read it for you or what because there's too many of
14 these to deal with.

15 MS. DEAN: Record Group 342, you go into Air
16 Force operational files and you go into a box and you're
17 going along and you are finding some interesting stuff
18 that refers to the Ferret Program, the overflight,
19 tremendously interesting stuff and then suddenly you
20 come to maybe 20, 25 records and all there is it's just
21 like a library slip, CIA 1980 or 1985, wham, you can't
22 ask for those. You FOIA CIA and they say, tell us to

1 whom it was sent, from whom it was -- the date, the
2 subject, and so forth. We don't even know how many
3 pages or if there are closures.

4 MR. DEAN: The out slip doesn't give you
5 enough information in order to pursue the FOIA.

6 MS. DEAN: If that remains on the exempt list,
7 unless you have a specific reason to believe you should
8 be pursuing this, you wouldn't even know that it exists.

9 PROFESSOR LEFFLER: Have you gone and talked
10 to the CIA Historical Advisory Committee, because
11 they're the people that can bring some of those things
12 most directly to the CIA? Have you ever met with them?

13 MS. DEAN: Our families have pursued this for
14 years, for years. The process is, the first time it
15 comes back -- here's a wonderful example.

16 I know three returned POWs from Camp Number 5
17 Korean War. They gave me briefings. They queried the
18 system, they FOIA'd and said, gee, I'd like to have a
19 copy of my debriefings and St. Louis doesn't have it.
20 And they were finally directed to Fort Meade, that was
21 fine.

22 Two of them got them. The third guy who I

1 know from Baltimore said three times he asked for his,
2 twice -- once it was a clerk who said you don't exist.
3 The second one, two years later, said try again. The
4 third time they said we need a notarized signature and
5 he was so mad he went to the VA and he said please
6 notarize my signature and tell them that I do exist. He
7 is still waiting for his debriefing. He has been
8 waiting ten years.

9 MR. DEAN: One of the debriefings that came
10 back, a person who did get his debriefing from -- it was
11 a CIA document, it was all redacted and it was his own
12 document.

13 DR. GOLDBERG: This clerk's name was Kafka,
14 was it?

15 MS. DEAN: No, it was Hohenzollern as a matter
16 of fact this one who's still waiting.

17 DR. GOLDBERG: Jim David.

18 MR. DAVID: Just with respect to CIA records,
19 the Moynihan Commission report states that the CIA
20 estimates that it has about 166 million pages of
21 permanent pre-75 classified records and although we
22 can't see their list of files proposed for exemption, it

1 states that approximately two-thirds of those 166
2 million pages have been proposed for exemption.

3 BG ARMSTRONG: But that's not something we
4 could deal with it.

5 MR. DAVID: No, but she asked a question about
6 CIA and DIA.

7 MS. DEAN: And as you know at the end of the
8 late '40s and in the early '50s, so many of the
9 military, for instance, you look at the different
10 persons who headed up different intelligence components,
11 were military men who rotated in and out of service over
12 to CIA. If you look at the acting directors of CIA, six
13 months it was ~~air~~^{Ar} Air Force, six months it was Army and
14 so forth.

15 So all those records about historical time
16 frame are interwoven and therein is the frustration
17 particularly for Korean War when you're looking at
18 policy events and order of battle. I have had more
19 success getting order of battle from Russia than I have
20 from the United States.

21 DR. GOLDBERG: Anything else?

22 I think it is time to close the meeting and

1 I'm not going to do much by way of summary. I have made
2 notes. I think of all the major issues and points that
3 have been raised here, I will see to it that most, if
4 not all of them, are included in the report of the
5 committee to the Secretary of Defense. I thank you for
6 your attendance and your participation and I trust that
7 we will see some, if not all of you, at our next
8 meeting.

9 MS. KNOX: Do you have a date for the next
10 meeting?

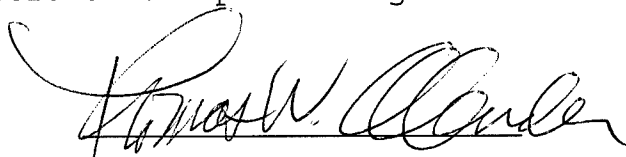
11 DR. GOLDBERG: No, we don't have a date yet,
12 but I'm sure you will be notified.

13 (Whereupon, at 3:15 p.m., the meeting was
14 adjourned.)

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1 CERTIFICATE OF REPORTER

2 I, Thomas W. Olender, the reporter before whom
3 the foregoing proceedings were was do hereby certify
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